

Title 36
Legislative Rules
Board of Coal Mine Health & Safety

~~WEST VIRGINIA ADMINISTRATIVE REGULATIONS~~

~~DEPARTMENT OF MINES~~

CHAPTER ~~22-4~~

SERIES ~~4~~ 26

SUBJECT: RULES AND REGULATIONS GOVERNING CONSTRUCTION AND REHABILITATION OPERATIONS IN UNDERGROUND MINES

Section 1. General 1.1 Scope *same*

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

1.02 Effective Date - These rules and regulations were promulgated on the 25th day of May, 1984, and become effective on the 1st day of July, 1984.

1.03 Effect of Regulations - 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 Chapter ~~22~~^{22A}, Article ~~2A~~^{1A} of the West Virginia Code relative to enforcement are applicable to the enforcement of these rules and regulations.

Section 2. Definitions

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

Section 3. On-shift Examination of Construction and Rehabilitation Work Areas

3.01 In addition to the pre-shift examination, an on-shift examination shall be made of all construction and rehabilitation work areas between the third and fifth hours while persons are working, and such examination shall be recorded in a book prescribed for such purposes, and located on the surface.

Section 4

Section 4. Automated Temporary Roof Support (ATRS) Systems on Roof Bolting Machines used for Construction and Rehabilitation

4.01 Where required by the Director of the Department of Mines, roof bolting machines used for construction or for rehabilitation work shall be equipped with an approved automated temporary roof support (ATRS) system. However, when spot bolting is done on track haulage roads, machines shall not be required to have ATRS.

4.02 In determining where such ATRS system is needed, the Director shall consider the following: (a) whether the use of ATRS would pose a greater hazard than not using it; (b) whether the technology of ATRS exists to allow compliance with these requirements; and (c) the conditions at the construction or rehabilitation site.

4.03 Minimum Requirements for Machines Using, or Used as, ATRS. All machines using, or used as, an automated temporary roof support system in accordance with this section shall comply with the minimum requirements for ATRS as specified in West Virginia Administrative Regulations, Series 21, Section 5.03.