

--- Title 36

FILED

~~WEST VIRGINIA~~ LEGISLATIVE RULE
BOARD OF COAL MINE HEALTH AND SAFETY
CHAPTER ~~22-2A~~
SERIES ~~50~~ 34

1985 JUL 18 PM 1:18

SECRETARY OF STATE

Title: Underground Mining Equipment to Conform with Height of Seam

Section 1: General

- 1.1 Scope -- This legislative rule establishes requirements for construction and operation of equipment to insure conformity with the height of the seam being mined, and identifies procedures for refusing to operate equipment that does not meet these requirements.
- 1.2 Authority - W. Va. Code 22-~~2A~~⁶-4
- 1.3 Filing Date - July 18, 1985
- 1.4 Effective Date - August 30, 1985

Section 2: Definitions

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

Section 3: General Requirements

- 3.1 The use of underground mining equipment that does not conform to the height of the seam being mined, which creates unsafe working conditions for the miners operating the equipment or others, is prohibited.
- 3.2 Mining equipment shall be operated safely, taking into consideration the condition of the haulage road, limit of visibility, height of the coal seam, and the size of the equipment.
- 3.3 No modifications to haulage equipment which limits visibility to a degree which poses a hazard to persons in the vicinity of such equipment shall be permitted.

Section 4: Correction of Unsafe Conditions

- 4.1 Where haulage equipment causes damage to the roof support system or creates unsafe working conditions to miners, action shall be taken to correct such condition.
- 4.2 Prior to the start of self-propelled mobile equipment, an audible alarm shall be sounded.

Section 5: Procedures for Refusing to Operate Unsafe Equipment

- 5.1 When an operator of equipment believes in good faith that a hazardous condition exists relative to the conformity of the equipment to the height of the coal seam, the equipment operator shall follow the procedures in West Virginia Administrative Regulation Series 10, "Right of a Miner to Refuse to Operate Unsafe Equipment."

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