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SECRET

NOTICE OF FINAL FILING - LEGISLATIVE RULE

LEGISLATIVE RULE: Rulemaking Procedures for the Board of Coal Mine
 Health and Safety

The attached legislative rule is hereby final filed with the Secretary of
State by The West Virginia Department of Energy as authorized by the
 Board of Coal Mine Health and Safety .

Mark A. Scott

Mark A. Scott, Chairman



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

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1987 JAN 12 PM 2:30
SECRETARY OF STATE

To: All Persons Interested in Rules and Regulations Constructed by the Board of Coal Mine Health and Safety

From: Terry L. Farley, Health and Safety Administrator *T.L.F.*

Date: January 16, 1987

Subject: Trolley Pole Swing Limiters

ACTION: Proposed rule; request for comments

AUTHORITY: These regulations are promulgated in accordance with Chapter 22, Article 6, Section 4 of the West Virginia Code.

SUMMARY

The Board of Coal Mine Health and Safety is proposing a rule which would revise a provision of the West Virginia Code, Section 22A-2-37(z), which was passed by the Legislature during its regular session in 1986, and became effective on January 1, 1987.

Section 22A-2-37(z), in pertinent part, requires that " all track mounted equipment shall be equipped with trolley pole swing limiters or other means approved by the Mine Safety and Technical Review Committee ... "

As evidenced by research, the absence of a trolley pole swing limiter on open-type vehicles subjects track equipment operators and others to potential hazards in the event that the trolley pole becomes disengaged from the trolley wire.

In order to prevent unnecessary equipment modifications, the Board is proposing a regulation to revise Section 22A-2-37(z) of the West Virginia Code. The proposed rule would limit the application of trolley pole swing limiters to open-type track vehicles where the vehicle operator or riders could be exposed to increased risk from disengaged trolley poles.

Request for Comments

Comments are invited from interested persons on the proposed regulation to limit the application of trolley pole swing limiters to open-type track vehicles. Comments should be limited to the content of the proposal. All comments should be in writing, and mailed no later than Thursday, February 19, 1987, to:

Terry L. Farley, Health and Safety Administrator
Board of Coal Mine Health and Safety
West Virginia Department of Energy
1615 Washington Street, East
Charleston, West Virginia 25311

For further information:

Requests for copies and questions on the proposal should be directed to Terry L. Farley, Administrator, Board of Coal Mine Health and Safety, at (304) 348-3500, ext. 335.

TLF:te

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OFFICE OF THE
SECRETARY OF STATE

WEST VIRGINIA DEPARTMENT OF ENERGY

Title 36 Series 36

TITLE: RULES AND REGULATIONS GOVERNING TROLLEY POLE SWING
LIMITERS

TYPE OF RULE: PROPOSED

WEST VIRGINIA DEPARTMENT OF ENERGY

TITLE 36 SERIES 36

TITLE: RULES AND REGULATIONS GOVERNING TROLLEY POLE SWING LIMITERS

TYPE OF RULE: Proposed

I N D E X

General	Section 36.36.1
Scope	1.1
Authority	1.2
Filing Date	1.3
Effective Date	1.4
Trolley Pole Swing Limiters	Section 36.36.2

WEST VIRGINIA DEPARTMENT OF ENERGY

Title 36 Series 36 —

TITLE: Rules and Regulations Governing Trolley Pole Swing Limiters

TYPE OF RULE: Proposed

Section 36.36.1 General

1.1 Scope - This regulation revises West Virginia Code 22A-2-37(z) relating to Trolley Pole Swing Limiters in underground coal mines.

1.2 Authority - West Virginia Code 22-6-4(c)

1.3 Filing Date - January 12, 1987

1.4 Effective Date - January 12, 1987

Section 36.36.2 Trolley Pole Swing Limiters

2.1 On or before the first day of January, One thousand nine hundred eighty seven, all open-type track mounted equipment shall be equipped with a trolley pole swing limiter.