



State of West Virginia

Department of Mines

Charleston 25305

WALTER N. MILLER  
Director

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

FROM: Mark A. Scott, Administrator *MAS*

RE: Regulations Governing Roof Control Practices

DATE: June 1, 1984

ACTION: Final Rule.

AUTHORITY:

These regulations are promulgated in accordance with Chapter 22, Article 2A, Section 4 of the West Virginia Code. These regulations are also promulgated in accordance with the decision of the West Virginia Supreme Court of Appeals in UMWA v. Scott, et al., which held that regulations issued by the Board in response to mining fatalities and injuries are not subject to the public review and comment provisions of Code 22-2A-4.

SUMMARY:

The Board has found that four roof falls occurred in 1982 and 1983 resulting in four fatalities, where existing state laws and regulations were inadequate to prevent similar occurrences. The Department of Mines determined that the causes of these four roof fall accidents were:

1. Victim was performing work with a slate bar nine feet inby permanently supported roof without adequate temporary supports installed. Victim had failed to properly evaluate roof conditions in the working place.
2. Victim was performing work 75 inches inby permanent roof support. The accident occurred because unsupported mine roof exposed during non-approved full (approaching 100%) pillar recovery operations on the section fell at the same time the victim was performing loading operations with a scoop beyond the last row of permanent supports.

FILED IN THE OFFICE OF  
**A. JAMES MANCHIN**  
SECRETARY OF STATE

THIS DATE 6-1-84

Administrative Law Division

3. Victim was observing continuous miner taking the first push-out of the pillar recovery operation. The accident occurred because the roof contained slickensided slips and surface cracks with no additional trisets or cribs installed between the lift and the hanging area, as required by the roof control plan.
4. Victim was inby the operating controls of the roof bolting machine while it was being repositioned in preparation to install the final row of bolts in the face area. The ATRS had been lowered and the machine was being moved when a rock brow fell striking the victim.

The Board determined that existing state laws and regulations were inadequate to prevent similar occurrences because:

1. There are no specific procedures outlined either in regulation or in a mine's roof control plan to specify how loose roof material is to be removed safely.
2. There are no provisions to insure that pillar recovery is performed according to the roof control plan, in mines where pillaring is being done for the first time.
3. There is no specific limitation on persons being inby the operating controls of a roof bolting machine in a working place while it is being aligned, adjusted, or repositioned.

The Board also found that a significant number of non-fatal injuries have occurred to persons handling the drill steel on the roof bolting machine during drilling operations. These injuries occurred primarily when the victim was handling a rotating drill steel or removing or dislodging a drill steel from the mine roof. The Board determined that safeguards are needed to reduce the need to handle the drill steel during drilling operations.

Therefore, the Board has issued the following regulations to reduce roof fall fatalities and injuries. These regulations do the following:

1. Require persons encountering abnormal roof hazards in working places to notify a supervisor, and require the supervisor to be present to direct the correction of the hazard.
2. Require all mines doing pillaring for the first time to review the pillaring section of the roof control plan with the persons to perform such work, and to notify the Department of Mines before such review is made.
3. Prohibit all persons except the equipment operator from being inby the operator controls of the roof bolting machine while it is being aligned, adjusted, or repositioned.
4. Require a device to be on roof bolting machines to limit the need to handle the drill steel during drilling operations.

POSTING AND REVIEW OF THIS REGULATION:

In accordance with WV Administrative Regulation Series 30 (amended 1983), each operator shall:

1. Post the regulation for thirty(30) days, immediately upon receipt.
2. Review the regulation with all persons acting in the capacity of underground mine foreman and assistant mine foreman, during the posting period.
3. Review the regulation with all underground section crews during the week following the review with the mine foremen and assistant mine foremen.

ADDITIONAL INFORMATION:

Questions and requests for copies of this regulation should be addressed to:

Mark A. Scott, Administrator  
Board of Coal Mine Health and Safety  
West Virginia Department of Mines  
Room E-153, State Capitol  
Charleston, West Virginia 25305  
(304) 348-3937

MAS/dao

Attachment

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF MINES

CHAPTER 22-4

SERIES 40

(1984)

(SUBJECT: RULES AND REGULATIONS GOVERNING ROOF CONTROL PRACTICES

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PROMULGATED  
REGULATION

FINAL

# I N D E X

## RULES AND REGULATIONS GOVERNING ROOF CONTROL PRACTICES

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Section 1. General

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

Section 2. Definitions

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

Section 3. Removal of Roof Hazards

3.01 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 4. Working Around Roof Bolting Machines

4.01 While the roof bolting machine is being aligned, adjusted, or repositioned no persons shall be permitted to be in by the operating controls of the roof bolting machine in a working face that is not completely supported.

Section 5. Operation of Roof Bolting Machine

5.01 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 eliminates the need for the equipment operator to handle the drill steel. The Director of the Department of Mines 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 6. Notification When Pillaring is to Begin

6.01 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.