



State of West Virginia

Department of Mines

Charleston 25305

WALTER N. MILLER
Director

*obsolete
last effective
date January 31, 1985
R60*

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 Surface Areas of Underground Mines

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 accidents occurred at surface areas of underground mines in 1983 and 1984 resulting in four fatalities, for which existing state laws and regulations were inadequate to prevent similar occurrences. The Department of Mines determined that the causes of these surface area accidents were:

1. Victim was attempting to break the coal from the top of the coal stockpile through to the stacker feeder while operating a dozer, when an area of coal approximately 16 feet in diameter suddenly collapsed, causing the victim and the dozer he was operating to fall vertically approximately 35 feet into a cone-shaped cavity, engulfing the victim and the dozer.
2. Victim was performing repair work to a silo chute hoist approximately 24 feet above the ground, when he fell from an unknown location. The accident occurred when safety belts were not used.

3. Victim was crushed by a bundle of crib blocks that fell while being suspended from a fork lift, when he was attempting to remove some ice from under them.
4. Victim was assisting crane operator move some machine parts with the crane, at the heavy equipment parking lot adjacent to the truck garage. The crane was being operated in close proximity to a high-voltage powerline of which the victim and crane operator had no knowledge, when the crane operator swung the boom of the crane into the high-voltage line causing the victim to receive a fatal shock.

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

1. No guidelines or safety precautions exist concerning working on coal stockpiles which may contain bridged material within the pile.
2. No guidelines or safety precautions exist to provide protection against falls from elevated areas at the surface operations of underground mines.
3. No guidelines or safety precautions exist concerning working around loads which are suspended by equipment.
4. No guidelines or safety precautions exist for persons operating cranes or other equipment around high-voltage powerlines.

Therefore, the Board has issued the following regulations to address these hazards at surface areas of underground mines. These regulations do the following:

1. Establish precautions to be taken whenever persons are working on coal stockpiles where bridged material may exist.
2. Requires use of safety belts or other devices to protect against falls of persons working on elevated areas.
3. Restricts persons working around suspended loads.
4. Establishes minimum clearances and other precautions for operating equipment around high-voltage powerlines.

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.

Memo

Regulations Governing Surface Areas of Underground Mines

Page 3

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 persons assigned to work at the surface areas of underground mines, 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



State of West Virginia

Department of Mines

Charleston 25305

JOHN D. ROCKEFELLER, IV.
Governor

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.

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

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF MINES

CHAPTER 22-4

SERIES 40

(1984)

SUBJECT: RULES AND REGULATIONS GOVERNING ROOF CONTROL PRACTICES

PROMULGATED
REGULATION

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

THIS DATE 6/1/84
Administrative Law Division

FINAL

I N D E X

RULES AND REGULATIONS GOVERNING ROOF CONTROL PRACTICES

	Page
Section 1: General	1
1.01 Authority	1
1.02 Effective Date	1
1.03 Effect of Regulations	1
Section 2: Definitions	1
Section 3: Removal of Roof Hazards	1
Section 4: Working Around Roof Bolting Machines	2
Section 5: Operation of Roof Bolting Machines	2
Section 6: Notification When Pillaring is to Begin	2

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF MINES

CHAPTER 22-4

SERIES 40

(1984)

SUBJECT: RULES AND REGULATIONS GOVERNING ROOF CONTROL PRACTICES

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.