

Obsolete
By Reg. Filed
10-17-84



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 Operation of Section Haulage Equipment
DATE: June 1, 1984

ACTION: Final rule.

AUTHORITY:

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 6-1-84
Administrative Law Division

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 a significant number of strain and sprain injuries occur each year in underground mines to persons operating section haulage equipment such as scoops and shuttle cars. These injuries are sustained when striking holes or bump on loose objects in the roadway while operating such equipment.

The Board determined that existing state laws and regulations are inadequate to prevent these types of injuries because there are no specific requirements to insure that the travelway for section haulage equipment is kept free of hazards, and to insure that equipment is operated safely in accordance with the conditions of the roadway.

Therefore, the Board has issued the following regulation to address this hazard. This regulation does the following:

1. Requires section haulage roads to be in a safe condition and free from hazards.
2. Requires examination of roadway by section haulage equipment operator, prior to operating equipment.
3. Requires section haulage equipment to be operated in a manner consistent with the condition of the roadway.

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 45

(1984)

SUBJECT: RULES AND REGULATIONS GOVERNING OPERATION OF SECTION HAULAGE
EQUIPMENT

PROMULGATED
REGULATION

FINAL
REGULATION

I N D E X

RULES AND REGULATIONS GOVERNING OPERATION OF SECTION HAULAGE EQUIPMENT

	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: Operation of Section Haulage Equipment	1

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF MINES

CHAPTER 22-4

SERIES 45

(1984)

SUBJECT: RULES AND REGULATIONS GOVERNING OPERATION OF SECTION HAULAGE EQUIPMENT

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 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 Article 1, Chapter 22 of the 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 Section 1, Article 1, Chapter 22 of the Code.

Section 3. Operation of Section Haulage Equipment

3.01 Roadways on which section haulage equipment travels shall be maintained in a safe condition and free of hazards.

3.02 Prior to operating section haulage equipment, the equipment operator shall examine the roadway to be traveled, and shall report any hazards present to the immediate supervisor before the equipment is put into operation.

3.03 Section haulage equipment shall be operated in a safe manner, consistent with the condition of the roadway.

Obsolete by
Reg. Filed
10-17-84



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 Operation of Section Haulage Equipment

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 a significant number of strain and sprain injuries occur each year in underground mines to persons operating section haulage equipment such as scoops and shuttle cars. These injuries are sustained when striking holes or bump on loose objects in the roadway while operating such equipment.

The Board determined that existing state laws and regulations are inadequate to prevent these types of injuries because there are no specific requirements to insure that the travelway for section haulage equipment is kept free of hazards, and to insure that equipment is operated safely in accordance with the conditions of the roadway.

Therefore, the Board has issued the following regulation to address this hazard. This regulation does the following:

Memo

Regulations Governing Operation of Section Haulage Equipment

Page 2

1. Requires section haulage roads to be in a safe condition and free from hazards.
2. Requires examination of roadway by section haulage equipment operator, prior to operating equipment.
3. Requires section haulage equipment to be operated in a manner consistent with the condition of the roadway.

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 45

(1984)

SUBJECT: RULES AND REGULATIONS GOVERNING OPERATION OF SECTION HAULAGE
EQUIPMENT

PROMULGATED
REGULATION

FINAL
REGULATION

I N D E X

RULES AND REGULATIONS GOVERNING OPERATION OF SECTION HAULAGE EQUIPMENT

	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: Operation of Section Haulage Equipment	1

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF MINES

CHAPTER 22-4

SERIES 45

(1984)

SUBJECT: RULES AND REGULATIONS GOVERNING OPERATION OF SECTION HAULAGE EQUIPMENT

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 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 Article 1, Chapter 22 of the 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 Section 1, Article 1, Chapter 22 of the Code.

Section 3. Operation of Section Haulage Equipment

3.01 Roadways on which section haulage equipment travels shall be maintained in a safe condition and free of hazards.

3.02 Prior to operating section haulage equipment, the equipment operator shall examine the roadway to be traveled, and shall report any hazards present to the immediate supervisor before the equipment is put into operation.

3.03 Section haulage equipment shall be operated in a safe manner, consistent with the condition of the roadway.