



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 *MAAS*

RE: Regulations Governing Housekeeping Practices in Underground Mines and Surface Areas of Underground Mines

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 substantial number of non-fatal lost-time injuries occurred in 1982 and 1983 which were caused in part by the existence of stumbling hazards in the travelways of underground mines. These hazards resulted in numerous slipping, tripping, or falling accidents while persons were walking or running or handling materials.

The Board determined that existing state laws and regulations are inadequate to prevent similar occurrences because the Department of Mines does not have the authority to enforce good housekeeping practices in underground mines.

Therefore, the Board has issued the following regulation to address this hazard. The regulation requires that good housekeeping practices be followed in all areas of underground mines, and surface areas of underground mines.

Memo

Regulations Governing Housekeeping Practices in Underground Mines and Surface Areas of Underground Mines

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 persons assigned to work underground, 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 47

(1984)

SUBJECT: RULES AND REGULATIONS GOVERNING HOUSEKEEPING PRACTICES IN UNDER-  
GROUND MINES AND SURFACE AREAS OF UNDERGROUND MINES

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PROMULGATED  
REGULATION

FINAL

# I N D E X

## RULES AND REGULATIONS GOVERNING HOUSEKEEPING PRACTICES IN UNDERGROUND MINES AND SURFACE AREAS OF UNDERGROUND MINES

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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.

10.3 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. Housekeeping Practices

3.01 Good housekeeping shall be practiced in all areas of underground mines, and in and around mine buildings and yards. Such practices shall include cleanliness, orderly storage of materials, and the removal of possible sources of injury, such as stumbling hazards, protruding nails, and broken glass.