



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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1/23/2017 10:43:07 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR
A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY **Coal Mine Health And Safety**
RULE TYPE **Legislative Exempt AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 36-02**
RULE NAME **Emergency Communications Requirements for Shaft and/or Slope Operations and
Arrangements for Emergency Medical Assistance and Transporting for ... (truncated)**
CITE AUTHORITY **22A-6-4**

RULE IS LEGISLATIVE EXEMPT

Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

22A-6-4

**THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS**

Tuesday, January 24, 2017

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

**Mallory Yates Hicks -- By my signature, I certify that I am the person authorized to file legislative rules,
in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 36-02



Rule Id: 11381



Document: 39219

TITLE 36
INTERPRETIVE RULE
BOARD OF COAL MINE HEALTH AND SAFETY

SERIES 2
RULES AND REGULATIONS GOVERNING EMERGENCY COMMUNICATIONS
REQUIREMENTS FOR SHAFT AND/OR SLOPE OPERATIONS AND ARRANGEMENTS FOR
EMERGENCY MEDICAL ASSISTANCE AND TRANSPORTING FOR INJURED PERSONS;
REPORTING REQUIREMENTS POSTING REQUIREMENTS AT SHAFT
AND/OR SLOPE OPERATIONS

§36-2-1. General.

1.1. Scope. -- Rules and regulations governing emergency communications requirements for shaft and/or slope operations and arrangements for emergency medical assistance and transporting for injured persons; reporting requirements; posting requirements at shaft and/or slope operations.

1.2. Authority. -- W. Va. Code §§22-6A-4;22-6.

1.3. Filing Date. -- January 23, 2017

1.4. Effective Date. -- January 24, 2017

§36-2-2. Emergency Communications Requirements.

2.1. Each operator of a shaft and/or slope shall establish and maintain a communication system from the shaft and/or slope to the nearest point of medical assistance for use in an emergency.

2.2. The emergency communications system required to be maintained under section 2.1. of these regulations may be established by telephone or radio transmission or by any other means or prompt approved communications to any facility (for example, the local sheriff, the state police or local hospital) which has available the means of communication with the person or persons providing emergency medical assistance or transportation in accordance with the provisions of section 2.1. of these regulations.

2.3. Due precautions shall be taken to prevent accidental discharge of electric blasting caps from current induced by mobile transmitters. The following precautions are recommendations of the Institute of the Makers of Explosives publication No. 20, shall be complied with.

§36-2-3. Arrangements for Emergency Medical Assistance and Transportation for Injured Persons; Reporting Requirements; Posting Requirements.

3.1. While employees are on duty each operator of a shaft and/or slope shall have made arrangements with a licensed physician, medical service, medical clinic, or hospital to provide emergency medical assistance for any person injured at any shaft and/or slope.

3.2. While employees are on duty each operator shall have made arrangements with an ambulance service, or otherwise provided for emergency transportation for any person injured at the shaft and/or slope.

3.3. After the effective date of these rules and regulations, each operator shall report to the Director of the Office of Miners Health Safety and Training the name, title and address of the physician, medical service, medical clinic, hospital, or ambulance service with whom arrangements have been made or

otherwise provided, in accordance with the provisions of sections 3.1. and 3.2. of these rules and regulations.

3.4. Each operator shall, within ten (10) days after any change of the arrangements required to be reported under the section 3.3. of these rules and regulations, report such changes to the Director of the Office of Miners Health Safety and Training. If such changes involve a substitution of persons, the operator shall provide the name, title, and address of such persons together with the name and addresses of the medical service, medical clinic, hospital, or ambulance service.

3.5. Each operator shall immediately after making arrangements required under the provisions of section 3.1. and 3.2. of these rules and regulations, or immediately after any changes of such agreement, post at appropriate places at the shaft and/or slope the name, titles, and addresses, and telephone numbers of all persons or services correctly available under such arrangements to provide medical assistance and transportation at the shaft and/or slope.

**Recommended Distances for One Ohm Electric Detonators from RF Sources such as Fixed and Mobile Transmitters
Including Cellular Telephone Service, Amateur Radio and Citizens' Band**

MINIMUM DISTANCE (Feet)

Transmitter ¹⁾ Power (Watts)	MINIMUM DISTANCE (Feet)				
	MF 1.7 to 3.4 MHz Fixed, Mobile, Maritime	HF 28 to 29.7 MHz Amateur	VHF 35 to 36 MHz Public Use 42 to 44 MHz Public Use 50 to 54 MHz Amateur	VHF 144-148 MHz Amateur 150.8- 161.6 MHz Public Use	UHF 450 to 470 MHz Public Use Cellular Telephones Above 800 MHz
1	15	47	37	12	8
3	25	81	64	21	14
5	33	105	82	27	18
10	46	148	116	38	25
50	102	331	259	85	55
100	144	468	366	120	78
180 ²⁾	193	627	491	161	104
200	204	661	518	170	110
250	228	739	579	190	123
500 ³⁾	322	1045	818	268	174
600 ⁴⁾	353	1145	897	294	190
1,000	455	1,478	1,157	379	245
1,500 ⁵⁾	557	1,810	1,417	464	300
10,000 ⁶⁾	1,438	4,673	3,659	1,198	775

**Table 3a (Continued)
Recommended Distances for One Ohm Electric Detonators from
Citizens Band, Class D Transmitters 26.965 MHz
(Channel 1) 27.405 MHz (Channel 40)**

Type	Recommended Minimum Distance	
	Hand-Held	Vehicle-Mounted
Double Sideband - 4 Watts maximum Transmitter Power	5 ft	65 ft
Single Sideband - 12 Watts (Peak Envelope Power)	20 ft	110 ft

¹⁾ Power delivered to the antenna.

²⁾ Maximum power to two-way mobile units in VHF (150.8 or 161.6 MHz range) and for two-way mobile and fixed station units in UHF (450 to 460 MHz range).

³⁾ Maximum power for major VHF two-way mobile and fixed station units in 35 to 44 MHz range.

⁴⁾ Maximum power for two-way fixed station units in VHF (150.8 to 161.6 MHz range).

⁵⁾ Maximum power for amateur radio mobile use.

^{6)**} Maximum power for some base stations in 42 to 44 MHz band and 1.6 to 1.8 MHz band.

Note, this chart is found in the Institute of the Makers of Explosives publication No. 20, December 2011.