

# **Mine Foreman Training**

## **Mining Law – Unit 2**

**Power Point Program and Training**  
**Developed by Wayne Collett**  
**Office of Mine Safety & Licensing**  
**2005**



**Kentucky Revised Statutes  
Chapter 351, Kentucky  
Administrative Regulations  
Title 805 Chapter 7, and the  
Code of Federal Regulations  
Part 30**



**What agencies have the responsibility of making and enforcing mining laws?**

**The Office of Mine Safety and Licensing (OMSL) and the Mine Safety and Health Administration (MSHA).**



**The OMSL is a state agency and MSHA is a federal agency.**



**The Office of Mine Safety and Licensing (OMSL) administers all laws of the Commonwealth relating to coal mines. The OMSL has six district offices throughout the state of Kentucky.**



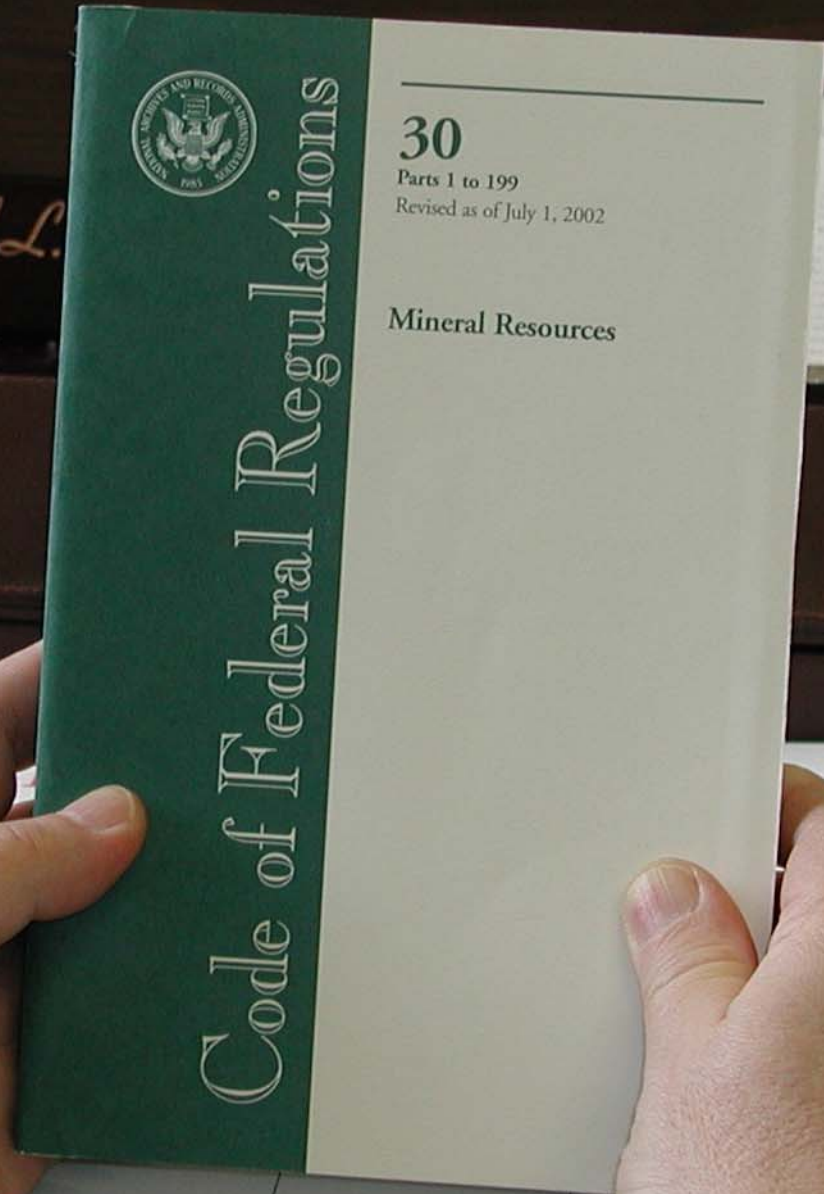
**MSHA has district and sub-district offices located throughout the United States.**



**Laws and regulations for the health and safety of coal miners have been promulgated (developed) by the OMSL and MSHA.**

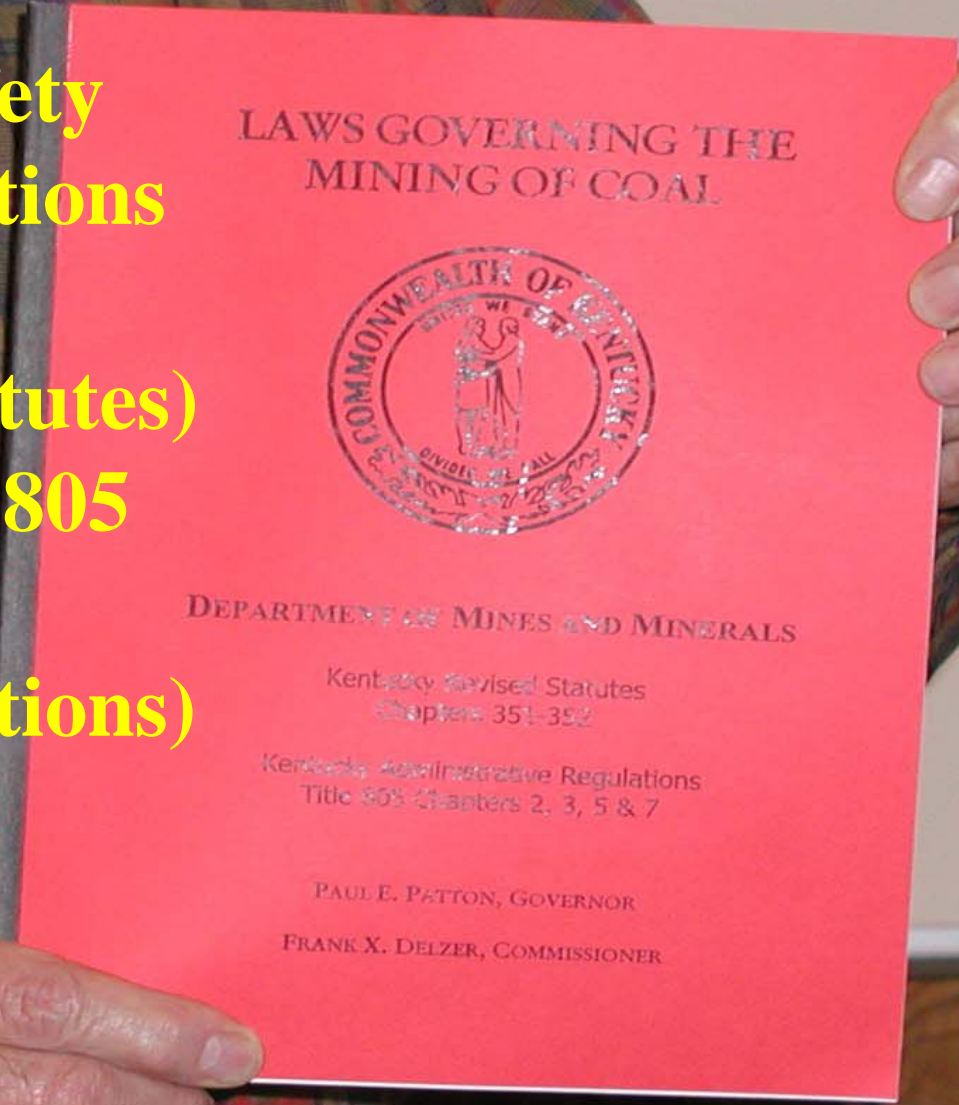


**MSHA'S regulations are listed in 30CFR (Code of Federal Regulations)**





**The Office of Mine Safety  
and Licensing's regulations  
are listed in KRS  
(Kentucky Revised Statutes)  
Chapters 351, 352 and 805  
KAR (Kentucky  
Administrative Regulations)  
Chapters 2,3,5&7.**



# **Mining Board KRS 351.105**

**The Mining Board is made up of eight (8) persons: three(3) representing management, three (3) representing labor, one(1) citizen member with knowledge of mining who is not a coal operator and is not employed in a supervisory or nonsupervisory position in a mine and the director of the Division of Miner Training, Education, and Certification. Each member shall have a minimum of five years experience in the coal industry.**



# Mining Board KRS 351.105

The Board has many functions but one of its main purposes is to review Kentucky laws KRS 351 and KRS 352 and make recommendations regarding the amendment of those chapters. The Board also reviews and approves all administrative regulations relating to coal mining, penalties, and certification of miners.



**In 2001, Kentucky made sweeping changes to its mining laws, specifically targeting intentional violators of safety laws. The old Mining Board was abolished and re-established with new appointees charged with training, education and certification issues....**



**An independent Mine Safety Review Commission (MSRC) was created whose members, by law, must have the equivalent experience of a Court of Appeals Judge. It is the Commission's responsibility to adjudicate violators brought before them by the Department of Mines and Minerals, now known as the OMSL.**



**In addition, tougher and more comprehensive penalties were passed in September 2002 for all certified and non-certified miners and licensees in Kentucky.**



**Only the most severe violations of law will be considered in bringing any charges before the Mine Safety Review Commission. The law states very clearly that the penalties apply to those "whose intentional violation or order to violate mine safety laws place miners in imminent danger of serious injury or death."**



**Any entity or person who has charges filed against them has the right to contest the allegations of the Department. An attorney may represent them, they have a right to cross examine witnesses, to view evidence, to present evidence, to bring forth witnesses and to appeal an unfavorable decision of the Commission to the Franklin Circuit Court. .**





**Different punishments are established for different categories. The first category is certified miners; the second is owners and part-owners of licensed mines; the third is noncertified personnel and; the fourth is licensed premises.**



# Certified Miners

*This includes a certified miner, mine foreman, assistant mine foreman, electrician, shotfirer, underground or surface mining instructor, or mine emergency technician.*

*If found guilty of intentionally violating, or ordering another to violate, mine safety laws which place miners in imminent danger of serious injury or death.*



## 1 st Offense

The MSRC has the option of suspending or revoking miner certificate for as long as they believe it is appropriate;' or they may place the miner on probation for no longer than 10 working days, and may establish terms of the probation.



## 1<sup>st</sup>. Offense - continued

If the miner holds more than one certificate, the MSRC may suspend, revoke or probate any or all of those certificates.

A suspension does not have to be for consecutive days; the certificate will automatically be reinstated at the end of the suspension period.



**If a certificate is revoked, then the miner may apply to the Kentucky Mining Board for reinstatement, but only after the revocation period has ended. The miner must re-take and pass required examinations for the certificate, and the Board may grant or deny the application.**



**If the miner found guilty by the MSRC is an hourly employee and not a foreman, then the Commission can consider, in determining punishment, whether the miner acted alone, or was ordered to violate the mine safety law. However, the miner must raise the issue for this to be considered.**



**Punishments for subsequent offenses committed by certified miners are determined solely by the MSRC.**



# What is the definition of a coal miner?

The Federal Mine Safety and Health Act of 1977, referred to as “the Act”, defines a “miner” as any person working in a mine. Therefore, all persons working in a mine are miners. Supervisors who may not normally perform the actual physical mining activities but who work in a mine are also “miners”.





**THIS COAL MINER IS INSTALLING ROOF BOLTS TO SUPPORT THE MINE ROOF**



# **The state of Kentucky 805 KAR**

**7:010 (14) defines a miner as:**

**"Underground coal miner" means:(a)  
A person working in an underground  
mine who is engaged in the  
extraction and production process  
including maintenance or service; or  
(b) A person employed or contracted  
by the licensee who is regularly  
exposed to mining hazards.**



**A “licensee”, as defined by KRS Chapter 352, means any owner, operator, lessee, corporation, partnership, or other person who procures a license from the Department to operate a coal mine;**



# 805 KAR 7:010

**The state of Kentucky defines and classifies “miners” according to experience.**

**(3) "Experienced underground miner" means a person who has worked a minimum of forty-five (45) working days in an underground coal mine and has complied with all statutory and regulatory training requirements.**



# Experienced Miner's Card

**COMMONWEALTH OF KENTUCKY**

DEPARTMENT OF MINES AND MINERALS



**CERTIFIED UNDERGROUND MINER**

NAME:

**JOHN SMITH**

MINER NO.:

**000-00-0000**

The holder of this card has satisfied the requirements of the Department of Mines and Minerals and KRS Chapters 351 and 352 to qualify as an experienced miner in Kentucky.



# 805 KAR 7:010

**(6) "Inexperienced underground miner" means a trainee miner who has not worked a minimum of forty-five (45) working days in an underground coal mine.**



**This card will allow you to obtain  
a job at an underground coal mine**

TP-HN-4-03	02/14/03
Permit No	Issue Date
COMMONWEALTH OF KENTUCKY DEPARTMENT OF MINES AND MINERALS INEXPERIENCED MINER'S WORK PERMIT	
THIS CERTIFIES THAT	
SMITH, JOHN	000-00-0000
Name	Miner I D No
has successfully completed the 40 hour course of instruction for inexperienced miners pursuant to 805 KAR 7 020 and is eligible and available for employment as an inexperienced miner If employed, the miner will be required to receive training for newly hired miners pursuant to 805 KAR 7 040	
FRANK X. DELZER	



**805 KAR 7:010**

**(13) "Trainee miner" means a miner who has not worked a minimum of forty-five (45) working days at a coal mine**





# 805 KAR 7:010

8) "Newly employed miner" means a miner, experienced or inexperienced, employed by a licensee to work at a coal mine, who has not completed "mine specific training" requirements.



# 805 KAR 7:010

**7) "Mine-specific training" means the instruction of mining relative to the distinct factors of a particular mine.**



**805 KAR 7:010**

**12) "Task training" means training of miners for new work assignments.**



# 805 KAR 7:010

**(9) "New work assignment" means a work duty in which a miner has not completed task training or demonstrated proficiency.**



# 805 KAR 7:010

**(1) "Certified person" means a person certified by the Commissioner to perform particular work duties in and around a coal mine.**



**What training is required for a person who has never worked in an underground coal mine?**



**A person seeking employment in an underground coal mine must receive training as required by state and federal regulations.**



# **KRS 351.102 Training required for an inexperienced underground coal miner**

**(1) No person shall be assigned mining duties by a licensee as a laborer or supervisor unless the person holds a valid certificate of competency and qualification or a valid permit as trainee issued in accordance with this section.**





## KRS 351.102 continued

**(2) A permit as *trainee miner* shall be issued by the commissioner to any person who has completed a program of education of a minimum of forty (40) hours for underground mining or who has completed a certified mine technology program and has passed an examination approved by the commissioner. An additional eight (8) hours of mine-specific training shall be administered to the trainee miner by the licensee, which training shall be documented on a form approved by the Commissioner.**



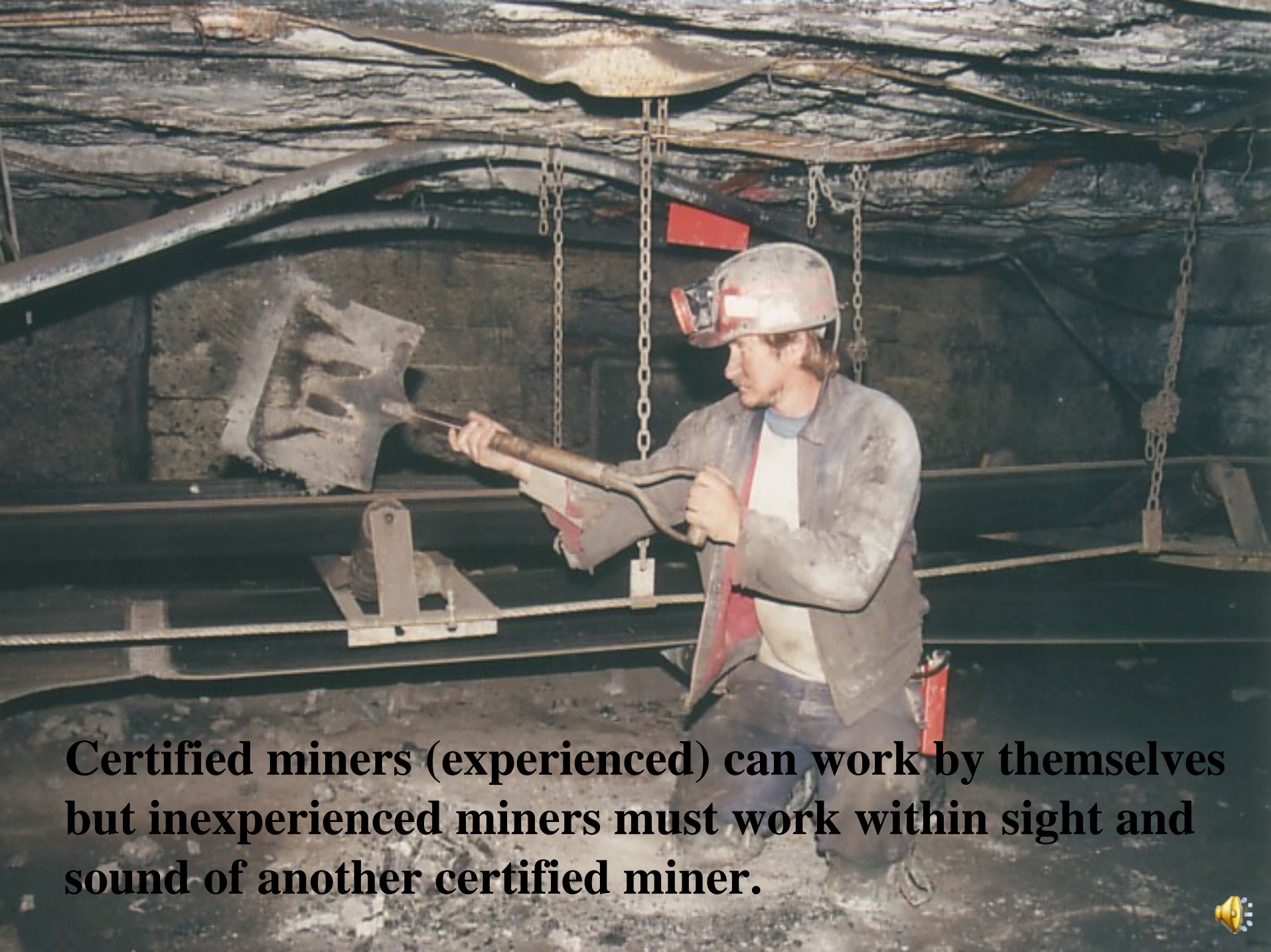
***A trainee miner, also called an inexperienced miner, must always work within sight and sound of a certified miner.***

**[KRS 351.102 (3)]**



***A certified* miner is any miner holding a certificate of competency. He/She receives a certificate of competency after receiving 40 hours of training, passes an examination, obtains employment at an underground mine, receives eight(8) hours of “mine-specific training” and obtains a minimum of forty-five (45) working days' experience within a thirty-six (36) month period as a trainee miner and demonstrated competence as a miner. [KRS 351.102 (2),(5)]**





**Certified miners (experienced) can work by themselves but inexperienced miners must work within sight and sound of another certified miner.**



**Any person certified as a mine foreman or assistant mine foreman shall have no more than five (5) persons working under his supervision or direction as trainee miners for the purpose of learning and being instructed in the duties of underground coal mining. [KRS 351.102 (4)]**



# Certified Underground

## Miner Training 805KAR 7:030

**Section 1. (1) A certified underground miner shall receive a minimum of sixteen (16) hours of annual retraining. At least eight (8) hours of the annual retraining shall be:**(a) Administered in a classroom; (b) Conducted by a Kentucky certified underground mining instructor and the amount of training documented on the training form defined in Section 1(3) of this administrative regulation and embossed with the instructor's seal; (2) The balance of the annual retraining shall be administered in segments of not less than fifteen (15) minutes.



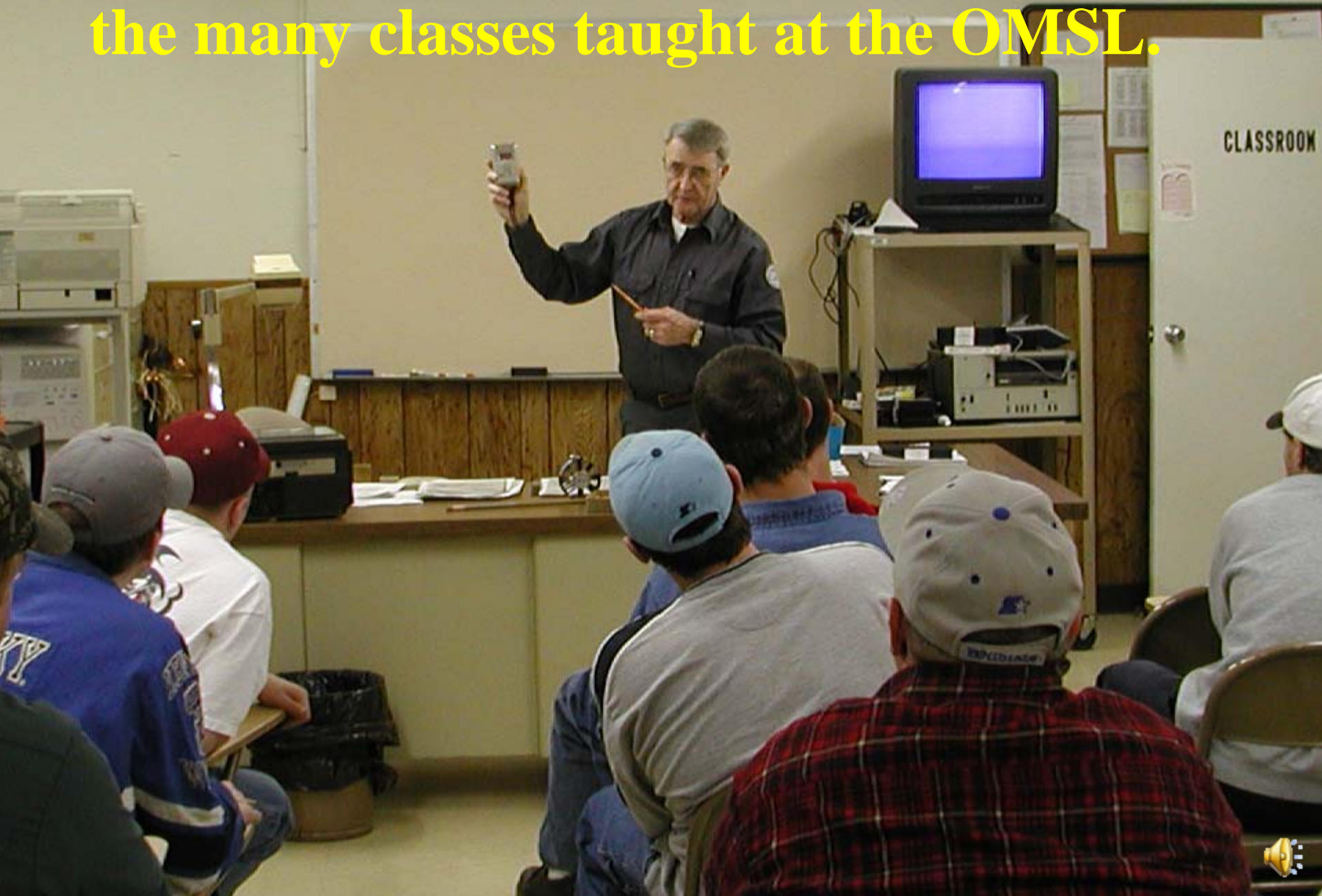
# **Certified Underground Miner Training**

## **805KAR 7:030 (continued)**

**Training administered in this manner shall be provided by, or under the direct supervision of, a Kentucky certified underground mining instructor or a Kentucky certified mine foreman. A person who receives annual retraining in this manner shall be notified that each segment is being administered in satisfaction of the annual retraining requirement, and a record of each segment, including dates, duration, subject and attendees, shall be maintained at the mine site. MSHA form 5000-23 shall be used for documenting training.**



**Underground annual retraining is one of the many classes taught at the OMSL.**





## **805 KAR 7:040. Training of newly employed miners. “Mine Specific”**

**(1) Each newly employed inexperienced miner shall receive a minimum of eight (8) hours training provided by the licensee. The training shall: (a) Be performed by a Kentucky certified mine foreman or mining instructor. (b) Apply to the mine where the miner is to be employed. (3) The training shall be completed before the newly hired miner can be assigned any work duties.**



Approved OMB Number 1219-0070, Expires November 30, 2004.  
 This certificate is required under Public Law 91-173 as amended by Public Law 95-164.  
 Failure to comply may result in penalties and other sanctions as provided by sections 108 and 110, Public Law 91-173 as amended by Public Law 95-164.

➔ Issue Certificate Immediately Upon Completion of Training Serial Number (for operator's use)  
 000-00-0000

1. Print Full Name of Person Trained (first, middle, last)  
 JOHN SMITH

2. Check Type of Approved Training Received:  
 Annual Refresher  Experienced Miner  Hazard Training  
 New Task (specify below)  Newly Employed, Inexperienced Miner  Other (specify)

Date	Task	Initials		Date	Task	Initials	
		Instr	Studt			Instr	Studt

3. Check Type of Operation and Related Industry:  
 A.  Surface  Construction  Underground  Shaft & Slope  
 B.  Coal  Metal  Nonmetal

4. Date Training Requirements Completed 2-25-03  
 ➔ If completed, go to item 6, below.  Check if not completed and go to item 5, below.

5. Check Subjects Completed (use only for partially completed training):

<input type="checkbox"/> Introduction to Work Environment	<input type="checkbox"/> Roof/Ground Control & Ventilation	<input type="checkbox"/> Health
<input type="checkbox"/> Hazard Recognition	<input type="checkbox"/> Mine Map; Escapeways; Emergency Evacuation; Barricading	<input type="checkbox"/> Electrical Hazards
<input type="checkbox"/> Emergency Medical Procedures	<input type="checkbox"/> Cleanup; Rock Dusting	<input type="checkbox"/> First Aid
<input type="checkbox"/> H&S Aspects of Tasks Assigned	<input type="checkbox"/> Mandatory Health & Safety Standards	<input type="checkbox"/> Mine Gases
<input type="checkbox"/> Statutory Rights of Miners	<input type="checkbox"/> Authority & Responsibility of Supervisors & Miners' Representatives	<input type="checkbox"/> Explosives
<input type="checkbox"/> Self-Rescue & Respiratory Devices		<input type="checkbox"/> Prevention of Accidents
<input type="checkbox"/> Transport & Communication Systems		<input type="checkbox"/> Other (specify)

6. False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety & Health Act (P. L. 91-173 as amended by P. L. 95-164).  
 I certify that the above training has been completed (signature of person responsible for training)  
 JOE FOREMAN

7. Mine Name, ID, & Location of Training (if institution, give name & address)  
 PUSH & GRUNT COAL CO.

8. Date 2-25-03  
 I verify that I have completed the above training (signature of person trained)  
 John Smith

The newly employed mine “specific training” shall be documented on the MSHA form 5000-23. This training can be administered by a Kentucky certified instructor or by a certified mine foreman.



# 805 KAR 7:050. Training of miners for new work assignments

**Section 1. Task Training. (1) A miner who receives a new work assignment shall not perform the work duties until he has completed a training program as provided in Section 1(2) of this administrative regulation if his new work assignment requires direct operation of: (a) Mechanical machinery; (b) Electrical machinery; or (c) Equipment in connection with:**

- 1. Mobile equipment operations;**
- 2. Blasting and drilling operations;**
- 3. Haulage and conveyor system operations;**
- or 4. Roof control.**





**A foreman and a car operator discuss the importance of maintaining operator controls in good condition.**



# Task Training continued

**(2) The training program for miners who receive new work assignments shall include:**

**(a) Health and safety aspects and safe operating procedures for work tasks, equipment, and machinery;**

**(b) Supervised practice during non-production;(c) Supervised operation during production;(d) New or modified machines and equipment; and (e) Mining and mine safety related issues. Training and signatures shall be documented on form 5000-23.**





Approved OMB Number 1219-0070, Expires November 30, 2004.

This certificate is required under Public Law 91-173 as amended by Public Law 95-164. Failure to comply may result in penalties and other sanctions as provided by sections 108 and 110, Public Law 91-173 as amended by Public Law 95-164.

➔ Issue Certificate Immediately Upon Completion of Training

Serial Number (for operator's use)  
000-00-000

1. Print Full Name of Person Trained (first, middle, last)  
JOHN SMITH

2. Check Type of Approved Training Received:

Annual Refresher       Experienced Miner       Hazard Training  
 New Task (specify below)       Newly Employed, Inexperienced Miner       Other (specify)

Date	Task	Initials		Date	Task	Initials	
		Instr	Studt			Instr	Studt
2/28/03	R.B.O.	J.R.O.					

3. Check Type of Operation and Related Industry:

A.  Surface       Construction       Underground       Shaft & Slope  
 B.  Coal       Metal       Nonmetal

4. Date Training Requirements Completed

➔ If completed, go to item 6, below.       Check if not completed and go to item 5, below.

5. Check Subjects Completed (use only for partially completed training):

Introduction to Work Environment       Roof/Ground Control & Ventilation       Health  
 Hazard Recognition       Mine Map; Escapeways; Emergency Evacuation; Barricading       Electrical Hazards  
 Emergency Medical Procedures       Cleanup; Rock Dusting       First Aid  
 H&S Aspects of Tasks Assigned       Mandatory Health & Safety Standards       Mine Gases  
 Statutory Rights of Miners       Authority & Responsibility of Supervisors & Miners' Representatives       Explosives  
 Self-Rescue & Respiratory Devices       Prevention of Accidents  
 Transport & Communication Systems       Other (specify)

6. False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety & Health Act (P. L. 91-173 as amended by P. L. 95-164).

I certify that the above training has been completed (signature of person responsible for training)  
JOE ROOFBOLT OPERATOR

7. Mine Name, ID, & Location of Training (if institution, give name & address)  
PUSH & GRUNT COAL Co.

8. Date      I verify that I have completed the above training (signature of person trained)  
2-28-03      John Smith

Task training is recorded on MSHA's 5000-23 form. In this example, John Smith has been trained on a roofbolting machine by Joe Roofbolter Operator on 2/28/03



*You must be paid for your  
training!*

**KRS 351.106 (5) The licensee shall pay all certified miners their regular wages and benefits while they receive training required by the Department.**



**A training program for inexperienced miners shall be approved by the Board, if the proposed program meets the criteria and objectives of 805 KAR 7:020, and the instructors teaching the program have been certified by the OMSL and MSHA.**





# Hazard Training

## 805KAR 7:090

### **Section 2. Underground Hazard Training.**

**(1) Underground hazard training shall be provided by the licensee or his authorized representative at the mine for visitors exposed to mine hazards in underground mines. (2) Persons required to take hazard training shall be accompanied at all times while underground by an experienced miner employed at the mine.**



# Training Records

**805 KAR 7:070. Record maintenance. The licensee shall maintain at the mine premises current and accurate records of the following:**

**(1) The dates annual retraining sessions were conducted and the persons who received the annual retraining on those dates;**

**(2) The name of each newly-employed miner during the current calendar year, the date on which he was employed, and the date on which he received mine specific training; and**

**(3) The particular work assignments which each miner is qualified to perform**



# Rights to copies of your training

**KRS 351.106 (8) When employment is terminated, the licensee shall provide the employee a copy of his training records, upon request. If the employee does not request his training records immediately, the licensee shall, within fifteen (15) days, provide the employee with those training records.**



173 as amended by Public Law 95-164.  
 173 as amended by Public Law 95-164.  
 Upon Completion of Training

1. Print Full Name of Person Trained (first, middle, last) JEFFREY E. CRISWELL Serial Number (for operator's use) 559-02-7232

2. Check Type of Approved Training Received

Annual Refresher  
 New Task (specify below) \_\_\_\_\_  
 Experienced Miner  
 Newly Employed Inexperienced Miner

Hazard Training  
 Other (specify) \_\_\_\_\_

3. Check Type of Operation and Related Industry

A.  Surface  
 B.  Coal

Construction  
 Metal  
 Underground  
 Nonmetal  
 Shaft & Slope

4. Date Training Requirements Completed 2-12-03

Check Subjects Completed (use only for partially completed training):

Introduction to Work Environment  
 Hazard Recognition  
 Emergency Medical Procedures  
 H&S Aspects of Tasks Assigned  
 Statutory Rights of Miners  
 Self-Rescue & Respiratory Devices  
 Transport & Communication Systems

Roof/Ground Control & Ventilation  
 Mine Map; Escapeways, Emergency Evacuation, Barricading  
 Cleanup; Rock Dusting  
 Mandatory Health & Safety Standards  
 Authority & Responsibility of Supervisors & Miners' Representatives

Health  
 Electrical Hazards  
 First Aid  
 Mine Gases  
 Explosives  
 Prevention of Accidents  
 Other (specify) \_\_\_\_\_

Check if not completed and go to item 5, below.

5. I certify that the above training has been completed (Signature of person responsible for training)  
Fred Carmichael

6. Location of Training (if institution, give name & address)  
Department of Mines and Minerals  
 P.O. Box 836  
 Harlan, WY 80831  
 Phone: 608-573-1260

7. I verify \_\_\_\_\_

**All training is recorded on the federal form 5000-23**

# First Aid Training

**KRS 351.127 (1) A certified emergency medical technician (EMT) or mine emergency technician (MET) shall be employed at every licensed coal mine whose employees are actively engaged in the extraction, production, or preparation of coal. Persons employed as mine emergency technicians shall be trained in a manner established in an administrative regulation promulgated by the department.**



**One (1) EMT or one (1) MET shall be employed on every shift with a workforce of up to fifty (50) employees; An additional EMT or MET shall be employed for every additional fifty (50) employees per shift and they shall be available for quick response with the necessary first aid equipment to render aid to the injured.**



**If the licensee selects existing employees to be trained as EMTs or METs, the employees selected shall be paid their regular wages during initial and annual retraining. [KRS 351.127 (4),(5)].**



# **EMT and MET Training**

**EMTs are trained and certified by the state's Cabinet for Health Services.**

**METs are trained and certified by the Kentucky Department of Mines and Minerals. MET training must be administered by a certified MET instructor. The training consists of 40 hours of classroom instruction and successful completion of a written exam and a skills exam. Each MET must receive eight (8) hours of annual retraining.**





# Prerequisite for MET Training

**Each applicant for certification as a MET shall:**

- **Be a certified surface or underground miner in the Commonwealth of Kentucky**
- **Hold a current CPR course completion card**
- **Be eighteen (18) years old or older**
- **Be able to speak, read, and write English**





**A certified MET checks the contents of a first aid box which must be kept on the section.**



**Who is allowed to  
supervise coal miners?**



# Certified Mine Foreman



**The certification for a  
*certified mine foreman*  
can only be issued by the  
Commissioner of the  
Department of Mines and  
Minerals.**



## **What are the requirements for becoming a *certified mine foreman*?**

- You must have five (5) years' practical underground coal mining experience acquired after achieving the age of eighteen (18), with at least one (1) year of this experience acquired on an active working section of an underground mine. KRS 351.120 (1),(8)**
- You must successfully complete an examination (with at least 80 percent efficiency) administered by the Commissioner.**



# **Education Counts for Mining Experience KRS 351.120 (6)**

**Persons holding a four (4) year degree in mining engineering from a recognized institution shall be credited with the equivalent of two (2) years of practical experience in coal mines when applying for any mine foreman or assistant mine foreman certificate.**



# **Education Counts for Mining Experience KRS 351.120 (6) (continued)**

**Persons holding an associate degree in mining from a recognized institution shall be credited with the equivalent of one (1) year of experience when applying for a mine foreman certificate and one (1) year when applying for an assistant mine foreman certificate and shall file proof of having received their degree prior to the examination.**





**The education received for a mining engineer degree and for an associate degree in mining also counts for the same amount of experience toward mine inspector, mine safety analyst, electrical inspector, and mine safety instructor certification. KRS 351.090**



**The primary responsibility of the Commissioner and the Kentucky Department of Mines and Minerals is to oversee and help insure the safety of the Kentucky coal miner. The Commissioner may develop or change any mine laws to improve safety in the coal mines. He appoints and directs mine inspectors to see that mining laws are followed. (KRS 351.070)**



**An adequate number  
of mine inspectors are  
appointed to insure at  
least two (2)  
inspections annually,  
at each mine.**



**All mine inspectors, mine safety analysts, electrical inspectors, and mine safety instructors shall have a thorough knowledge of first aid and mine rescue and be able to instruct in first aid and mine rescue, and shall have a thorough and practical knowledge of mining gained by at least five (5) years' experience in coal mines in the Commonwealth. KRS 351.090(2)**



**The education received for a mining engineer degree and for an associate degree in mining also counts for the same amount of experience toward mine inspector, mine safety analyst, electrical inspector, and mine safety instructor certification. KRS 351.090**



**No person shall be appointed to the office of mine inspector, underground mine safety analyst, electrical inspector, or mine safety instructor unless he holds a current mine foreman's certificate.**

**No person shall be appointed to the office of surface mine safety analyst unless he holds a current surface mine foreman's certificate.**

**KRS 351.090(3)**



**A person appointed as mine inspector, mine safety analyst, electrical inspector, and mine safety instructor shall pass an examination administered by the board. KRS 351.090(3)**



# **Duties and Responsibilities of Mine Inspectors KRS 351.140**

- Inspect mines (in his district) every 6 months and enforce mining laws**
- Train officials and workman in first aid and mine rescue methods**
- Advise officials and workman in safety methods and prevention of mine fires and explosions**
- Take charge in event of mine fire, explosion, or other serious accident or recovery work**
- Reopen mines that have been sealed**







**The mine inspector shall have the authority to inspect any coal preparation plant or surface facility or any overland belts at any reasonable time.**



# **Written Reports of Mine Inspections**

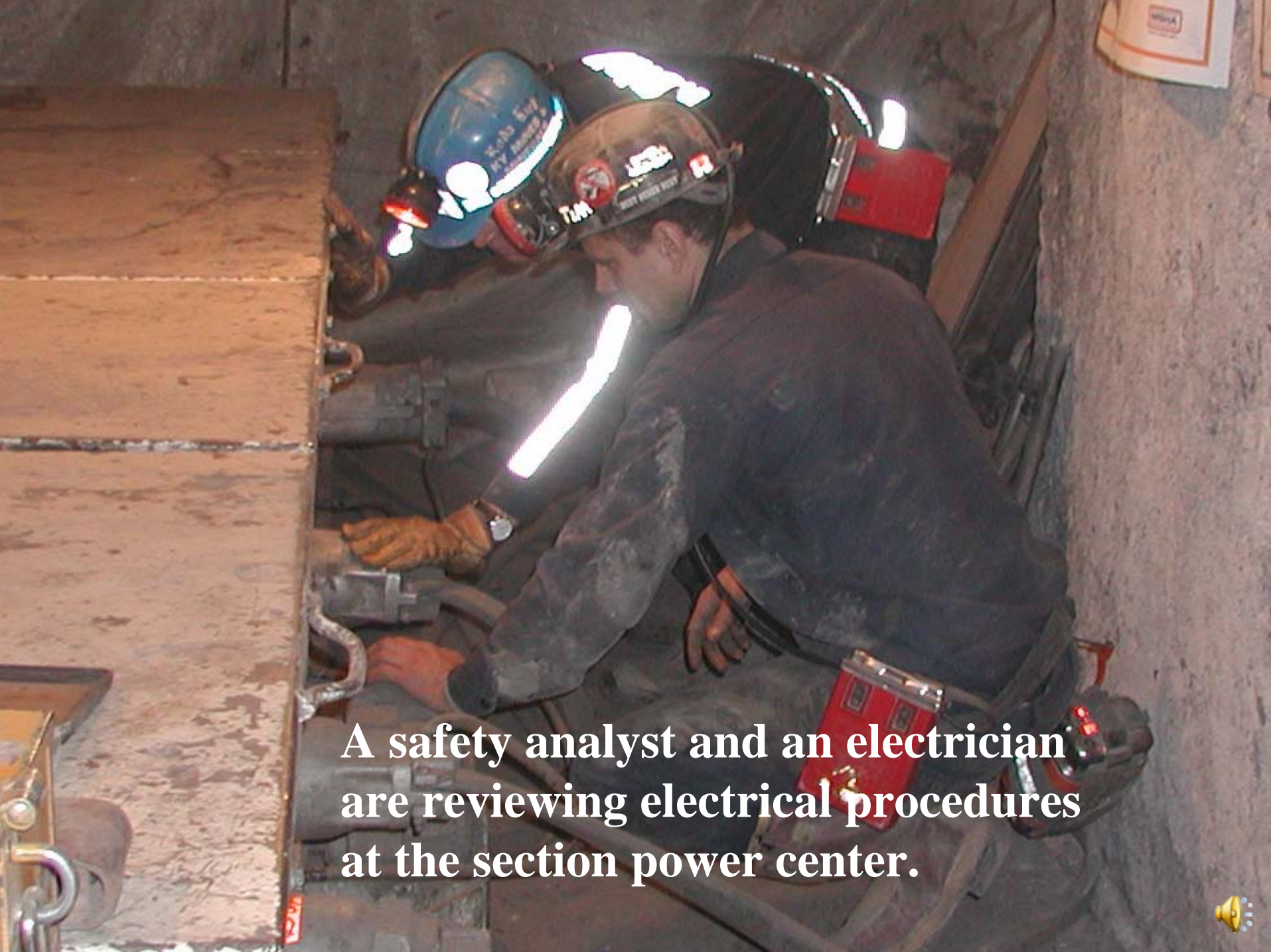
## **KRS 351.150**

- **Copies of the written reports shall be de-livered to the Commissioner**
- **To the operator or mine superintendent**
- **To the mine committee, if requested**
- **For the bulletin board at the mine site**



**Persons employed as *underground or surface mine analysts* shall satisfy the same requirements as those for a mine inspector. The primary responsibility of the safety analyst is to prevent mine accidents and fatalities by observing and evaluating the work habits of persons involved in the direct production of coal and to contact, advise, and assist these persons in correcting their unsafe or potentially hazardous actions. KRS 351.242(2)(3)**





**A safety analyst and an electrician  
are reviewing electrical procedures  
at the section power center.**



**The safety analyst shall have the same powers as a mine inspector of the department, but these powers shall be considered secondary to his primary responsibility, which is to prevent accidents and fatalities by observing and evaluating the work habits of the workers. KRS 351.242(4)**





**A mine safety analyst and a mine superintendent discuss mining plans and pillar removal.**



**Each underground coal mine operator shall submit documentation to the commissioner that a *trained mine rescue team* is within sixty (60) minutes of driving time to each of his mines.**



**If the coal company cannot provide a trained mine rescue team, the Kentucky Department of Mines and Minerals shall provide a trained mine rescue team which shall be available within 60 minutes of driving time.**

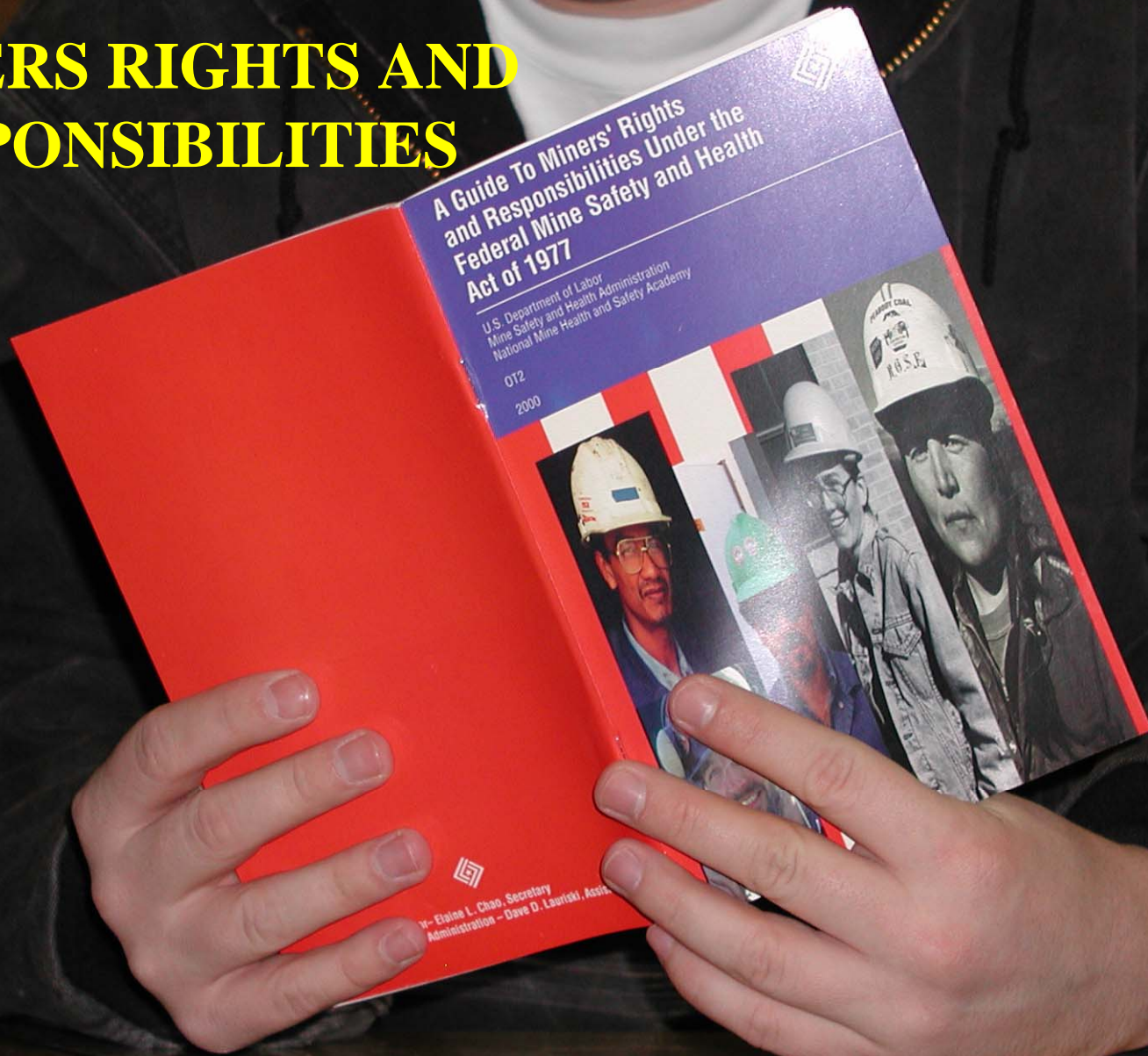




**Coal miners have certain rights and responsibilities while working at a coal mine. These rights and responsibilities are clearly stated in *A Guide To Miners' Rights and Responsibilities Under the Federal Mine Safety and Health Act of 1977.***



# MINERS RIGHTS AND RESPONSIBILITIES



**The Federal Mine Safety and Health Act of 1977 (referred to in this booklet as “the Act”) gives individual *miners* the following rights:**



- **The right to have a representative of the miners accompany Federal inspectors during inspections at a mine.**
- **The right to obtain an inspection of the mine where there are reasonable grounds to believe that an imminent danger, or a violation of the Act or a safety or health standard exists.**
- **The right to pay during certain periods of time when a mine or part of a mine has been closed because of a withdrawal order.**



- **The right to be protected against discrimination based on the exercise of rights given by this Act.**
- **The right to receive health and safety training.**
- **The right to be informed of, and to participate in, enforcement and legal proceedings under the Act.**



In addition, miners' *representatives* also have specific rights under the Act to those rights given to individual miners. Also, applicants for mine work have the right not to be discriminated against in hiring because they have previously exercised rights given them by the Act.



**The Act gives miners and their representatives many rights because Congress wanted to encourage them to take an active, responsible role in matters of mine safety and health.**



**The regulations under the Act are found in Title 30, Code of Federal Regulations, Mineral Resources (30 CFR). The specific sections of the Act referring to the rights of miners and their representatives are headlined in this booklet.**





**There are time limits on many of the rights described in this guide. Those time limits *must* be met or one risks losing the rights.**



# Your Rights Under the Mine Act

The Act defines a “*miner*” as any person working in a mine.

Therefore, all persons working in a mine are “miners,” and may exercise the rights given them by the Act. Supervisors who may not normally perform the actual physical mining activities but who work in a mine are also “miners.”



The Act gives certain rights to a “*representative of miners.*” This is a person who has been chosen by two or more miners to represent them in safety and health matters at their mine. Additionally, the Act provides that applicants for mining jobs cannot be denied a job because they have previously exercised rights given them by the Act.



# Protection Against Discrimination:

**Section 105(c) of the Act protects you from discrimination for using any of the rights given to you by the Act.**

**It is not legal for you to be fired, transferred to a lower paying job, not hired, harassed, or otherwise lose job benefits for exercising your rights under the Act.**



**For example, you have a right to:**

- File or make a complaint under the Act of an alleged danger or safety or health violation.**
- Institute, testify, or assist in any proceeding conducted under the Act.**
- A medical evaluation leading to a possible transfer to another job location.**
- Be withdrawn from the mine for not having received required safety and health training.**



**Congress wanted the Act to be broadly interpreted and clearly meant to protect you from discrimination if you in good faith refuse to work in conditions you reasonably believe to be unsafe or unhealthy. Congress also intended for the Act to protect miners who refused to comply when their employers ordered them to violate a health or safety standard.**



**A discrimination complaint filed by you, or your representative on your behalf or on behalf of others, or a job applicant, should be promptly filed with (MSHA) us. We may not be able to pursue a claim unless it is filed *within 60 days* of the act of discrimination, unless you, your representative, or the applicant can show a good reason why it should be considered.**



**Be sure the complaint includes relevant details such as names, dates, places, times, events, etc. - of the discrimination.**

**MSHA's staff at the local district or field offices can assist you, answer your questions, and provide the form needed to file a complaint.**





**You may be eligible for temporary reinstatement if you file a claim because you have been discharged for engaging in actions protected under the Act.**



**Here's how this works. We examine your complaint to make sure of its potential merit. If we find your claim is not frivolous, our attorney may ask the Federal Mine Safety and Health Review Commission (Commission) to order your temporary reinstatement or, if necessary, your temporary reassignment to a comparable job at your regular pay until a final decision is reached on your complaint.**



**If MSHA investigate your complaint, and we find you have been discriminated against, our attorneys may file a complaint on your behalf with the Commission asking them to order appropriate action. Depending on the facts of your case, we might request your reinstatement to your old job, back pay, restoration of seniority rights, transfer, and/or any other steps needed to correct the discrimination.**



**If we investigate your complaint and we determine that you have *not* been discriminated against, we will notify you of our decision. You may pursue your complaint without our help by filing the complaint with the Commission *within 30 days* of our notifying you that we found no discrimination.**



**If the Commission agrees with you, they may order the person(s) discriminating against you to pay all your reasonable costs and expenses (including attorney fees).**



**If you think you have been discriminated against because of your race, religion, sex, national origin, age, or some other reason not covered by the Act, you should contact the appropriate Federal or state agency to seek assistance.**



# Your Legal Responsibilities

**Smoking Prohibited: Section 110(g)**  
You may have to pay a fine of up to \$250 for *each* violation if you smoke or carry smoking materials, matches, or lighters into an underground coal mine, a gassy underground metal/nonmetal mine, or into any area of a mine where smoking is prohibited.



# **Other nonsmoking areas of underground coal mines include:**

- Areas around oil houses**
- Explosives magazines**
- Other surface areas where smoking could cause a fire or explosion**





**You may not smoke or use an open flame at a surface coal mine in any area where it might cause a fire or an explosion.**



**False Statements and False Representations: Section 110(f)**  
People may be fined up to \$10,000, or imprisoned up to five years (or both) if they knowingly make a false statement (orally or in writing), a false certification in an application, record, report, plan, training certificate, or any other document required to be kept or filed with us. Criminal fines for violations under the Mine Act are subject to the increased penalty provisions by the Federal Comprehensive Crime Control Act, 18 U.S.C. §3571.



## **351.193 Safety rights of miners -- Settlement of disputes.**

**No miner shall be required to operate any equipment or work in any condition which he reasonably believes to be unsafe. If the miner invokes his or her safety rights under this section, the miner shall have the right to be relieved from the assignment in dispute.**



## **351.193 Safety rights of miners -- Settlement of disputes – continued**

**The employee may be assigned to correct the condition or may be assigned to other duties until such time as the condition is resolved or corrected. No other miner shall be assigned to perform this job until the condition is corrected.**



# **351.193 Safety rights of miners -- Settlement of disputes – continued**

**The miner or his authorized representative and the company shall review the condition immediately and attempt to resolve the dispute. Should the miner not have an authorized representative, he may represent himself in the dispute.**



**If the dispute is not settled by the company and the miner or his or her authorized representative, either party reserves the right to call in the Commissioner or his authorized representative immediately and the dispute shall be settled on the basis of the inspector's finding with a written copy of his finding given to the company and the miner and his authorized representative.**



**In the event no representative of the miner exists, the employee shall have the right to have the dispute resolved based on the inspector's findings. No disciplinary action shall be taken against a miner by a licensee unless the miner is found by the commissioner or his authorized representative to have acted in bad faith and without good cause in making an allegation as to unsafe equipment or working conditions.**



**Let's review the material that we've covered by answering the following questions orally.**





**What agencies have  
the responsibility of  
making and  
enforcing mining  
laws?**



**The Mine Safety and  
Health Administration  
(MSHA) and the Office of  
Mine Safety and  
Licensing (OMSL).**



**In 2001, what sweeping changes did Kentucky make to its mining laws, specifically targeting intentional violators of safety laws.**



**The old Mining Board  
was abolished and re-  
established with new  
appointees charged with  
training, education and  
certification issues....**



**What group was formed to prosecute violators of Kentucky mining laws?**



**An independent  
Mine Safety Review  
Commission (KRS  
351.1041)**



**Can certified miners  
be brought before  
the Mine Safety  
Review Commission  
(MSRC)?**



**Yes, if you intentionally violate or order to violate, mine safety laws that places miners in imminent danger of serious injury or death.**





**What can be the  
punishment for a  
certified miner's  
first offense?**



**The commission may revoke or suspend the miner's certificate for a period of time to be determined at the discretion of the commission, or it may probate the miner's certificate for a period of no greater than ten (10) working days.**



**If a certified miner's certificate is revoked the miner may apply to the Kentucky Mining Board for the reinstatement of his certificate, after the revocation period has ended, and after he has retaken and passed the requisite examination required for the certification. The Mining Board may grant or deny the application.**



**What is the  
definition of an  
underground  
coal miner?**



**A person working in an underground mine who is engaged in the extraction and production process including maintenance or service.**



**What is the name given to any owner, operator, lessee, corporation, partnership, or other person who procures a license from the Department to operate a coal mine?**



**A “licensee”**



**What does state law  
require for those  
seeking employment  
in an underground  
coal mine – what  
training is required?**





**You must receive 40 hours of classroom training, taught by a certified state instructor, and successfully pass an examination with 80 percent proficiency.**

**After getting a job, your employer must give you an additional eight(8) hours of mine specific training at the mine where you will be working.**



**The mine specific training shall apply to the mine where the new miner will be working. It shall include but not be limited to the following: mine maps, escapeways, type of mining equipment, roof control plans, ventilation plans, transportation and communication, hazard recognition and much more.**



**The mine specific training must be given to the miner before he/she is assigned any work duties. The mine specific training is required for all newly hired miners, whether they are experienced or inexperienced.**



**The state of  
Kentucky defines  
and classifies  
“miners” according  
to experience.**



**To become an "Experienced underground miner" a person must have completed 40 hours of classroom training, pass the exam, receive eight hours of mine specific training and work a minimum of how many working days in an underground coal mine?**



**45 working days**



**If you have worked less than 45 days in an underground mine, what is the name of your classification?**



**You are an  
“Inexperienced,  
Trainee Miner”**





**As an “inexperienced  
trainee miner”, does  
state law allow you to  
work in the mine  
performing duties by  
yourself?**



**No! you must work  
within sight and  
sound of a “certified  
miner” at all times.**



**What are the  
qualifications of  
a “certified  
miner”?**



**One who has received 40 hours of classroom training, passed the exam, received eight hours of mine specific training, and worked a minimum of 45 days underground, and has his/her miner certification card.**



**How do I get a  
miner  
certification  
card?**



**After receiving the training required for an inexperienced miner and working 45 days underground, you and the company where you are employed must complete an affidavit stating that you have received the mine specific training and have worked 45 days underground. You then bring the affidavit to the KDMM office and you will be issued a certified miner card.**



**What is the name for an experienced or inexperienced miner employed by a licensee to work at a coal mine, who has not completed mine specific training?**



**“Newly employed  
miner”**





**Does federal and state law give a miner any rights regarding safety or discrimination?**



**Yes! Coal miners have certain rights and responsibilities while working at a coal mine. These rights and responsibilities are clearly stated in *A Guide To Miners' Rights and Responsibilities Under the Federal Mine Safety and Health Act of 1977.***



**In addition, no miner shall be required to operate any equipment or work in any condition which he reasonably believes to be unsafe, as outlined in KRS 351.193, which has been previously discussed.**



**MSHA'S number for making a complaint or calling for help is 800 – 746-1554 (24 hour hot tip line). The numbers for MSHA and the OMSL local offices can be provided upon your request.**



**How much annual  
training is required  
for a certified  
underground miner?**



**Sixteen (16) hours - and eight (8) of those hours must be taught in the classroom. The other 8 hours can be taught at the minesite by a mine foreman or by a certified instructor. The training must be given in at last 15 minute segments.**



**Can you be required  
to operate a piece of  
equipment with  
which you are  
unfamiliar?**



**No! You must be trained to operate that piece of equipment. You must receive “task training” which is training for new work assignments.**





**What training is  
required for visitors  
going underground  
and being exposed to  
mining hazards?**



**“Hazard Training”  
and after receiving the  
training, visitors must  
still be accompanied  
by a certified miner at  
all times.**



**Who is required to  
keep copies of all  
training  
administered at the  
mine site?**



**The mine “licensee”. But you also have the responsibility of keeping copies of the 5000-23 forms, showing the training you have received. The mine licensee must provide the miner with copies of all training received at the mine site within 15 days of the employee’s termination.**



**Are miners  
required to be paid  
for training  
received during  
employment?**



**Yes! As required  
by state and  
federal law, miners  
must be paid at  
their regular wage  
rate.**



**What first aid training must be provided by the mine licensee?**



**In addition to providing a segment of first aid training in the initial and annual retraining programs, the mine licensee must employ a MET or an EMT at the mine on every shift with a workforce of up to 50 employees.**





**An additional EMT or MET shall be employed for every additional fifty (50) employees per shift and they shall be available for quick response with the necessary first aid equipment to render aid to the injured.**



**What are the  
requirements to  
become a MIET?**



**Each applicant for certification as a MET shall:**

- . Be a certified surface or underground miner in the Commonwealth of Kentucky**
- . Hold a current CPR course completion card**
- . Be eighteen (18) years old or older**
- . Be able to speak, read, and write English**



Who is allowed to  
supervise  
underground coal  
miners?



Only a “*certified  
mine foreman*”



**What are the  
requirements for  
becoming a  
*“certified mine  
foreman”*?**



**You must have five (5) years' practical underground coal mining experience acquired after achieving the age of eighteen (18), with at least one (1) year of this experience acquired on an active working section of an underground mine.**



**What are the  
duties and  
responsibilities  
of mine  
inspectors?**





- ...Inspect mines (in his district) every 6 months and enforce mining laws**
- ...Train officials and workman in first aid and mine rescue methods**
- ...Advise officials and workman in safety methods and prevention of mine fires and explosions**
- ...Take charge in event of mine fire, explosion, or other serious accident or recovery work**
- ...Reopen mines that have been sealed**



**True or False : You must be certified as an underground mine foreman before applying for a mine inspector's position.**



**True!**



**Does a mine  
safety analyst  
have the same  
powers as a mine  
inspector?**



**Yes! But his primary responsibility is to prevent mine accidents and fatalities by observing and evaluating the work habits of persons involved in the direct production of coal and to contact, advise, and assist these persons in correcting their unsafe or potentially hazardous actions.**



**It is the responsibility of the coal mine operator (licensee) to have the services of a trained mine rescue team available within (60) minutes driving time to the mine site, in the event of an emergency.**



**If the mine operator  
(licensee) cannot  
provide the services of  
a trained mine rescue  
team, who shall  
provide it?**



# The Office of Mine Safety and Licensing





**Kentucky Revised Statutes  
Chapter 352, Kentucky  
Administrative Regulations  
Title 805 Chapters 2, 5, and 7,  
and the Code of Federal  
Regulations Part 30**



# Definitions: KRS 352.010

**(1) As used in this chapter, unless the context requires otherwise:**

**(a) "Abandoned workings" means excavations, either caved or sealed, that are deserted and in which further mining is not intended, or open workings which are ventilated and not inspected regularly;**



**(b) "Active workings" means all places in a mine that are ventilated and inspected regularly;**

**(c) "Approved" means that a device, apparatus, equipment, machinery, or practice employed in the mining of coal has been approved by the commissioner of the OMSL.**



**(d) "Assistant mine foreman" means a certified person designated to assist the mine foreman in the supervision of a portion or the whole of a mine or of the persons employed therein;**

**(e) "Board" means the Mining Board created in KRS 351.105;**



- (f) "Commercial mine" means any coal mine from which coal is mined for sale, commercial use, or exchange. This term shall in no instance be construed to include a mine where coal is produced for own use;**
- (g) "Commissioner" means commissioner of the Office of Mine Safety and Licensing (OSML);**
- (h) "Department" means the Department of Mines and Minerals, which is now the Office of Mine Safety and Licensing (OSML);**



- (i) "Drift" means an opening through strata or coal seams with opening grades sufficient to permit coal to be hauled therefrom, or which is used for the purpose of ventilation, drainage, ingress, egress, and other purposes in connection with the mining of coal;**
- (j) "Excavations and workings" means the excavated portions of a mine;**



**(k) "Face equipment" means mobile or portable mining machinery having electric motors or accessory equipment normally installed or operated in by the last open crosscut in any entry or room;**

**(l) "Fire boss" (often referred to as mine examiner) means a person certified as a mine foreman or assistant mine foreman who is designated by management to examine a mine or part of a mine for explosive gas or other dangers before a shift crew enters;**



- (m) "Gassy mine" All underground mines shall be classified as gassy or gaseous;**
- (n) "High voltage" means any voltage of one thousand (1,000) volts or more;**
- (o) "Imminent danger" means the existence of any condition or practice which could reasonably be expected to cause death or serious physical harm before the condition or practice can be abated;**





**(p) "Inactive workings" shall include all portions of a mine in which operations have been suspended for an indefinite period, but have not been abandoned;**

**(q) "Intake air" means air that has not passed through the last working place of the split or by the unsealed entrances to abandoned workings and by analysis contains not less than nineteen and one-half percent (19.5%) of oxygen, no dangerous quantities of flammable gas, and no harmful amounts of poisonous gas or dust;**



**(r) "Licensee" means any owner, operator, lessee, corporation, partnership, or other person who procures a license from the department to operate a coal mine;**

**(s) "Low voltage" means up to and including six hundred sixty (660) volts;**

**(t) "Medium voltage" means voltages greater than six hundred sixty (660) and up to nine hundred ninety-nine (999) volts;**



**(u) "Mine" means any open pit or any underground workings from which coal is produced for sale, exchange, or commercial use, and all shafts, slopes, drifts, or inclines leading thereto, and includes all buildings and equipment, above or below the surface of the ground, used in connection with the workings.**



**Workings that are adjacent to each other and under the same management and which are administered as distinct units shall be considered separate mines;**

**(v) "Mine foreman" means a certified person whom the licensee or superintendent places in charge of the workings of the mine and of persons employed therein;**



**(w) "Open-pit mine" shall include open excavations and open-cut workings including auger operations and highwall mining systems for the extraction of coal;**

**(x) "Operator" means the licensee, owner, lessee, or other person who operates or controls a coal mine;**



**(y) "Permissible" means that any equipment, device, or explosive that has been approved by the United States Bureau of Mines, the Mining Enforcement and Safety Administration, or the Mine Safety and Health Administration meets all requirements, restrictions, exceptions, limitations, and conditions attached to the classification;**



**(z) "Preshift examination" refers to the examination of an underground mine or part of a mine where miners are scheduled to work or travel, and shall be conducted not more than three (3) hours before any on-coming shift;**

**(aa) "Return air" means air that has passed through the last active working place on each split, or air that has passed through abandoned, inaccessible, or pillared workings;**



**(ab) "Shaft" means a vertical opening through the strata that is or may be used, in connection with the mining of coal, for the purpose of ventilation or drainage, or for hoisting men, coal, or materials;**

**(ac) "Slope" means an inclined opening used for the same purpose as a shaft;**

**(ad) "Superintendent" means the person who, on behalf of the licensee, has immediate supervision of one (1) or more mines;**





**(ae) "Supervisory personnel" shall mean a person or persons certified under the provisions of KRS Chapter 351 to assist in the supervision of a portion or the whole of the mine or of the persons employed therein;**

**(af) "Tipple or dumping point" means the structure where coal is dumped or unloaded from the mine car into railroad cars, trucks, wagons, or other means of conveyance;**



**(ag) "Working face" means any place in a coal mine at which the extraction of coal from its natural deposit in the earth is performed during the mining cycle;**

**(ah) "Working place" means the area of a coal mine in by the last open crosscut; and**



**(ai) "Working section" means all areas of a coal mine from the loading point to and including the working faces.**

**(aj) "Workmanlike manner" means consistent with established practices and methods utilized in the coal industry.**



## **352.040 Working places not to be driven in advance of air current.**

**If the mine inspector discovers any working place being driven in advance of the air current contrary to the requirements of this chapter he shall notify the mine foreman to cease work in the place at once and not resume such work until the law is complied with.**



# CUTTING OR WELDING

**KRS 352.045**

- **Cutting or welding in by the last open crosscut is permitted in emergencies only**
- **Methane must be below 1%**
- **Rockdust must be available**
- **Fire extinguishers must be readily available**





**Fire extinguishers must be fully charged and checked every six months for compliance.**



## **352.060 Rock-dusting.**

**(1) All mines, or parts of mines, or sections thereof, shall be rock-dusted if conditions are found to be dusty or hazardous, after proper inspection. In the event such conditions are found to exist, then the commissioner or his authorized representative shall require the necessary rock-dusting to make the mine, part of the mine, or section safe.**



## **352.060 Rock-dusting (continued)**

**(2) In all mines, accumulations of excessive loose coal and fine dry coal dust shall be removed from the mine, and all operating sections kept thoroughly rock-dusted, and the dust on the mine floor allayed by methods approved by the Commissioner, but in every mine, or in any part or section thereof, rock-dusting shall be applied to maintain at all times a minimum percentage of sixty-five percent (65%) of noncombustible matter to within forty (40) feet of the faces, including last open crosscuts, and under certain special conditions the department may require that places be rock-dusted to the faces, and that additional rock-dust be added.**







# ROCKDUSTING

Rockdust shall be applied to maintain at all times a minimum percentage of 65% of noncombustible matter to within forty (40) feet of the faces, including last open crosscuts



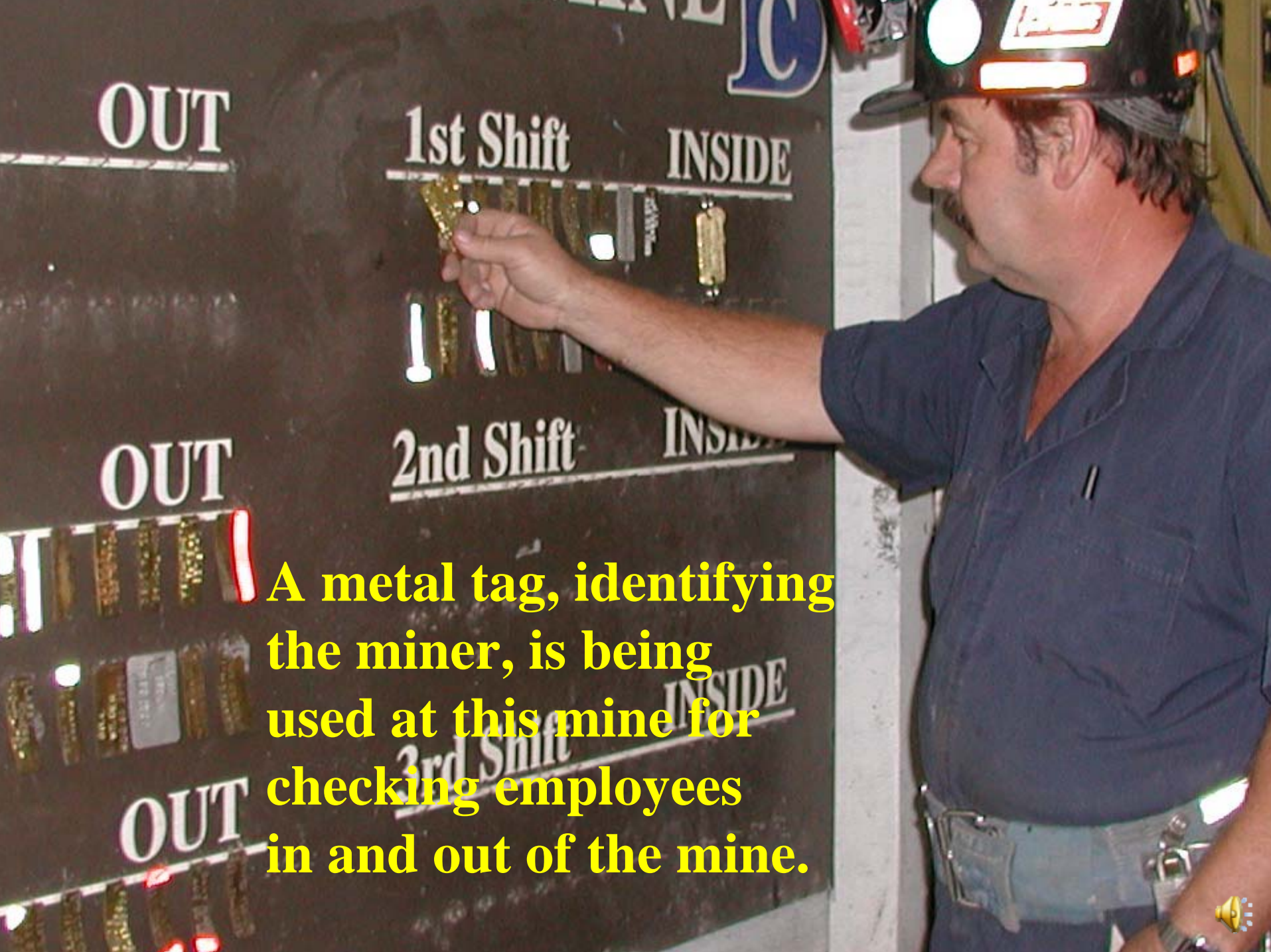
**Battery powered scoops are used to remove loose coal from roadways.**



# **CHECKING IN & OUT OF THE MINE 352.070**

- **Each mine shall install a uniform system of checking employees in and out of the mine.**
- **Employees must have a positive means of identification on their persons at all times while inside the mine.**
- **A record must be kept on the surface of all persons underground at all times.**





**A metal tag, identifying the miner, is being used at this mine for checking employees in and out of the mine.**

# **New or additional openings - Map to be filed. 352.080**

**(1) No new or additional openings to any underground mine shall be made without the approval of the commissioner.**

**(2) Each operator or superintendent of an underground mine shall, before making any new or additional opening submit to the commissioner of the department, for his information and approval, a map or plan showing the proposed systems of mining the coal seam, the proposed system of ventilation and equipment of the openings, and their locations and relative positions to adjacent developments.**



# **Abandoned parts of mine to be posted – Sealing 352.090**

**(1) All unused workings and abandoned parts of mines shall be protected by safeguards that will prevent the accumulation or overflow of gas, and all avenues leading thereto shall be so arranged and conducted as to give warning to all persons of the danger of entering, and notice shall be posted warning all unauthorized persons not to enter these parts of the mine. If the area cannot be adequately ventilated and examined, or evaluated it shall be sealed in a timely manner.**



## **Sealing - continued 352.090**

**(2) No person, except persons authorized to make examination thereof, shall enter any unused or abandoned part of a mine after the warning has been posted.**

**(3) Where the practice is to seal abandoned workings, the sealing shall be done immediately in an effective manner with noncombustible material.**



# Sealing - continued 352.090

**In every sealed area, one (1) or more of the seals shall be fitted with a pipe and cap or valve to permit the gases behind the seals to be sampled and also to provide a means of determining any existing hydrostatic pressure. When required by the mine inspector and commissioner, drill holes shall be extended from the surface to the sealed area, or vent pipes shall be extended from the sealed area to a return air course. Sufficient ventilation shall be provided at each seal to prevent dangerous gases from accumulating.**





**A valve for checking  
for accumulation of  
gases behind the  
seal.**



**For checking water pressure**



## **352.100 Abandoned mine not to be entered -- Exception.**

**No person shall attempt to enter, explore, or survey an abandoned mine or portion thereof without the approval of the mine inspector or the commissioner and unless he adheres to conditions prescribed by the commissioner.**



# Mines to have two openings

352.110

In every coal mine, there must be at least two (2) separate outlets, separated by natural strata of not less than one hundred fifty (150) feet in breadth if the mine is worked by shaft or slope, and separated by a pillar of natural strata of not less than two thousand (2,000) square feet if the mine is worked by drift. If the coal mine uses a conveyor belt, there must be three (3) separate openings.



## **352.120 Stairways or hoisting devices Passageways and escapeway outlets**

- In shaft mines, the escape outlets must be provided with a stairway or ladderway of suitable strength and design or a properly equipped hoisting arrangement suitable for hoisting men**
- All shafts by which men enter or leave the mine and all passageways to escape outlets shall be carefully examined by the mine foreman, or by a person designated by him**



# **Stairways or hoisting devices**

## **Passageways and escapeway outlets (continued)**

- These examinations shall be made at least once each week that the mine is operating, and the date and findings of the examination shall be entered in a book at the mine and for that purpose**
- Water or any other obstructions shall not be allowed to accumulate in the passageway to the escape outlet, and if any obstructions accumulate or exist they shall be promptly removed**



# **Stairways or hoisting devices**

## **Passageways and escapeway outlets (continued)**

- Conspicuous signboards shall be placed indicating the direction to escape outlets**
- The height of the escapeway outlets shall be maintained to at least the height of the coal seam and at least six (6) feet in width, where practicable**



## **352.130 Safety and hoisting devices in shafts -- Certified hoistman.**

**(9) A certified hoistman shall be on the mine site of a shaft or slope mine when persons are underground, including fire bosses and pumpers on idle shifts, except when automatic, self-service facilities with all safety devices are provided.**



## **352.140 Operation of cages and cars.**

**(1) Only a certified hoistman shall be placed in charge of any mechanism used for lowering or hoisting any persons employed in the mine. Where automatic elevators are used and all safety devices are provided, the services of a hoistman are not required. A certified hoistman shall pass a test as to his knowledge of hoisting equipment and the precautions to be taken when raising or lowering men or materials. Certification of hoistmen shall be under such conditions and by tests prescribed by the commissioner.**





# 352.140 Cages & Cars (Continued)

**(2) No hoistman in charge of such machinery shall allow any person except such as may be designated for this purpose by the operator or superintendent to interfere with any part of the machinery.**

**(3) In a mine worked by shaft, slope, or incline, no more than twenty (20) persons shall ride in any cage or car at one (1) time, without the approval of the mine inspector and the commissioner of the department, and no person shall ride on a loaded cage or car,**



## 352.140 Cages & Cars (Continued)

except that where special man-cars or cages are employed to haul workmen on inclines, the commissioner may regulate the method and procedure of handling of man-cars, cages, and workmen. Each cage or elevator installed after June 16, 1972, which is used for lowering and raising men shall have at least two and one-half (2-1/2) square feet of floor space for each person.



## **352.133 Approved self-rescuer device**

**All underground miners shall be provided with an approved self-contained self-rescuer device and shall have that device within twenty-five (25) feet of them at all times unless the licensee receives approval from the commissioner to store the self-contained self-rescuer more than twenty-five (25) feet away from underground miners. The self-contained self-rescuer shall be provided to the miners by the licensee at no cost to the miners.**



## **352.135 Lifeline cords**

**Where return airways are designated as escapeways, each operator shall provide lifeline cords, with attached reflective material at not to exceed twenty-five (25) foot intervals, from the last open crosscut to the surface; provided, that in case of a shaft mine, such lifeline cords shall extend from the last open crosscut to the bottom of the designated escape shaft. Such lifeline cord shall be of durable construction sufficient to allow miners to see and to use effectively to guide themselves out of the mine in the event of an emergency.**



## **352.150 Provisions concerning haulage roads**

- When coal mines use track haulage for transporting the coal, refuge holes must be provided if cross-cuts or intersections do not occur at regular intervals of 90 feet or less. When the refuge holes must be provided, they shall be located at least five (5) feet from the side of the mine car and five (5) wide, and not more than 90 feet apart.**
- Refuge holes of the same dimensions shall also be provided at switch holes.**



## **352.150 Provisions concerning haulage roads (continued)**

**Refuge holes are not required on haulage roads in which the track is so laid as to give a minimum clearance on one (1) side, of not less than thirty (30) inches from the side of any haulage engine or any mine car. The clearance is to be on the side of the road opposite that upon which electric wires are strung, if electric wires are strung in the road.**



## **352.150 Provisions concerning haulage roads (continued)**

- No unauthorized person shall travel on foot to or from work upon any haulage road or slope where transportation is by track, when other roads in proper condition for travel are available**
- On all main haulage roads where hauling is done by machinery the mine foreman shall provide a proper system of signals, and a conspicuous light or marker approved by the commissioner on the front and rear of every trip or train of cars when in motion in the mine<sup>231</sup>**



## **352.150 Provisions concerning haulage roads (continued)**

- Man-trips shall be operated at safe speeds consistent with the condition of roads and type of equipment used and shall be so controlled that they can be stopped within the limits of visibility, in no event at a speed in excess of twelve (12) miles per hour**
- Each man-trip consisting of more than one (1) mine car of men shall be under the charge of a certified official, and it shall be operated independently of any loaded trip of coal or other material**





## **352.150 Provisions concerning haulage roads (continued)**

- Cars on the man-trip shall not be overloaded, and sufficient cars in good mechanical condition shall be provided**
- No person shall ride under the trolley wire unless suitably covered man-cars are used**
- No material or tools except small hand tools shall be transported in the same car with men on any man-trip unless in a separate, enclosed compartment of the car, and all persons shall ride inside of man-trip cars, except the motorman and brakeman or trip rider**



## **352.150 Provisions concerning haulage roads (continued)**

- Men shall not load or unload before the cars in which they are to ride or are riding come to a full stop, and men shall proceed in an orderly manner to and from man-trips**
- A waiting station shall be provided where men are required to wait for man-trips or man-cages. It shall have sufficient room, ample clearance from moving equipment, and adequate seating facilities**



## **352.150 Provisions concerning haulage roads (continued)**

- Trolley and power wires shall be guarded effectively at man-trip stations where there is a possibility of any person coming in contact with energized electric wiring while loading or unloading from the man-trip**
- Cars used for transporting men on slopes shall be equipped with a safety device capable of stopping the trip in event of failure of the rope or couplings. The device shall be approved by the commissioner.**



## **352.150 Provisions concerning transportation of men (conveyor belts)**

**•Where belts are used for transporting men, unless the commissioner finds that a safety hazard exists which cannot be corrected, the belt transport will be allowed and a minimum clearance of eighteen (18) inches shall be maintained between the belt and the roof or cross bars, projecting equipment, cap pieces, overhead cables, wiring, and other objects; but where the height of the coal bed permits, the clearance shall not be less than twenty-four (24) inches.**



## **352.150 Provisions concerning transportation of men (conveyor belts)**

**•Unless a greater speed is allowed by special permission from the commissioner, in which event the conditions, limitations, and rules imposed in connection with the grant of permission shall be observed, the belt speed shall not exceed two hundred fifty (250) feet per minute where the minimum overhead clearance is eighteen (18) inches, or three hundred (300) feet per minute when the minimum overhead clearance is twenty-four (24) inches, while men are loading, unloading, or being transported.**<sup>237</sup>



## **352.150 Provisions concerning transportation of men**

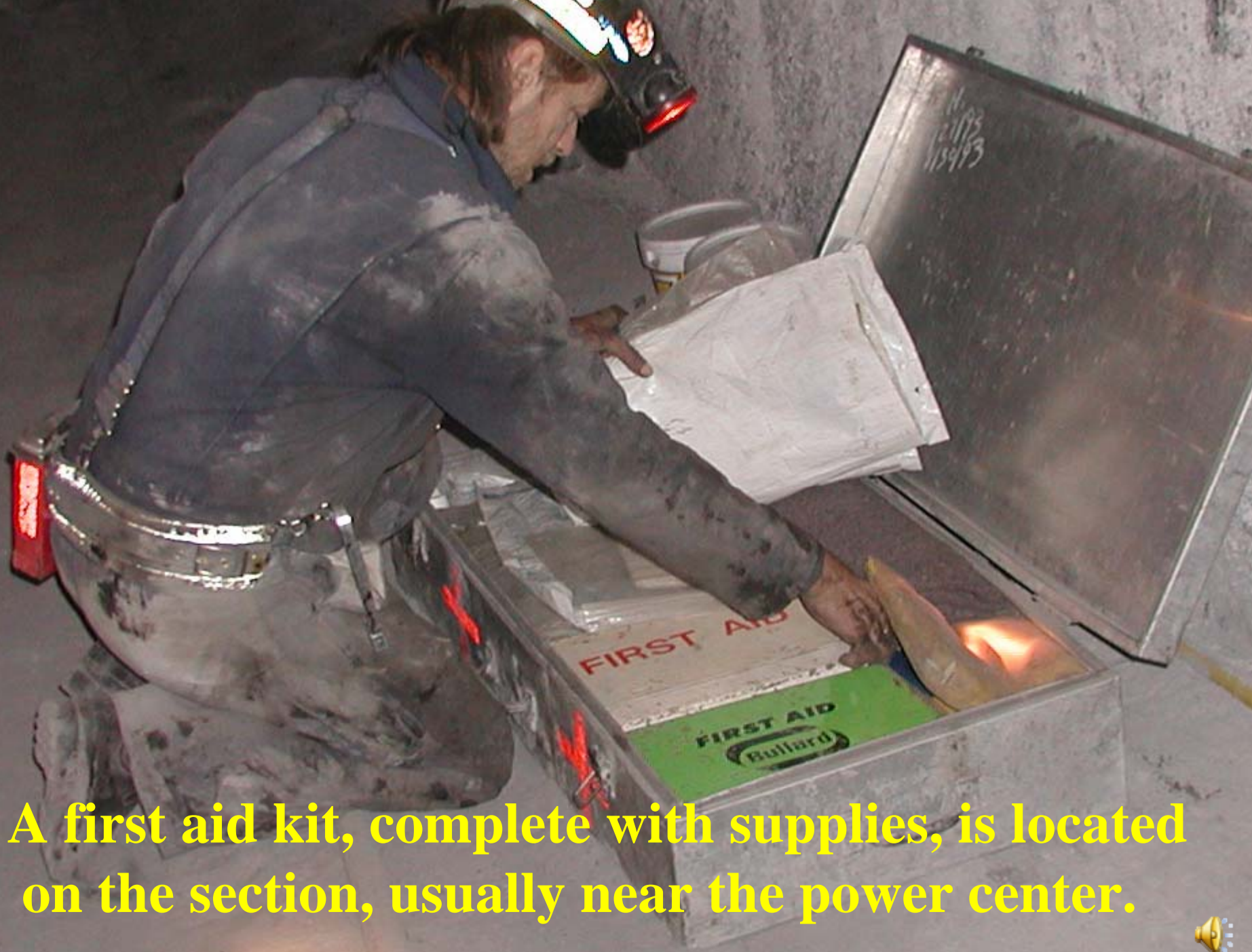
- The space between men riding on a belt line shall not be less than six (6) feet.**
- Loading and unloading stations shall be illuminated properly.**
- A certified official or some other supervisory personnel appointed by the mine foreman shall supervise all man-trips.**



## **352.150 Provisions concerning first aid equipment**

**•Efficient equipment, either mobile or self-propelled, equipped with sufficient first-aid equipment and supplies, shall be available on all underground sections where men are present to transport injured workers to the surface.**





**A first aid kit, complete with supplies, is located on the section, usually near the power center.**





## **352.150 Provisions concerning first aid equipment**

**•At those mines that do not have a contract or other arrangement for providing ambulance service, a 4-wheel-drive vehicle or other vehicle suitable to the terrain equipped with sufficient first-aid equipment and supplies shall be available to the mines or preparation facilities for the transportation of injured workers.**



# **352.150 Provisions concerning first aid equipment**

- At those mines that have a contract or other arrangement for providing ambulance service, the access road to the mine or preparation facility shall be kept in a condition which is passable by the ambulance vehicle.**



## **352.161 Examination of conveyor belts**

**•All mines utilizing conveyor belts shall have one (1) or more persons to examine the conveyor belts while in operation in the mine to determine that no coal or mine refuse is being transported on the conveyor belt in a manner which would pose a threat to the health and safety of the employees or to the safety of the mine.**



# **352.170 Gas detectors or electric lamps required -- Unauthorized devices for making lights and fires forbidden.**

- Only approved electric lamps can be used for personal lighting**
- Only approved gas detection devices can be used in the mine**
- No intoxicants are allowed in the mine**
- No one is allowed to carry underground any matches, pipes, cigars, cigarettes, or any device for making lights or fire not authorized or approved and the licensee shall conduct frequent searches to prevent such occurrences.**

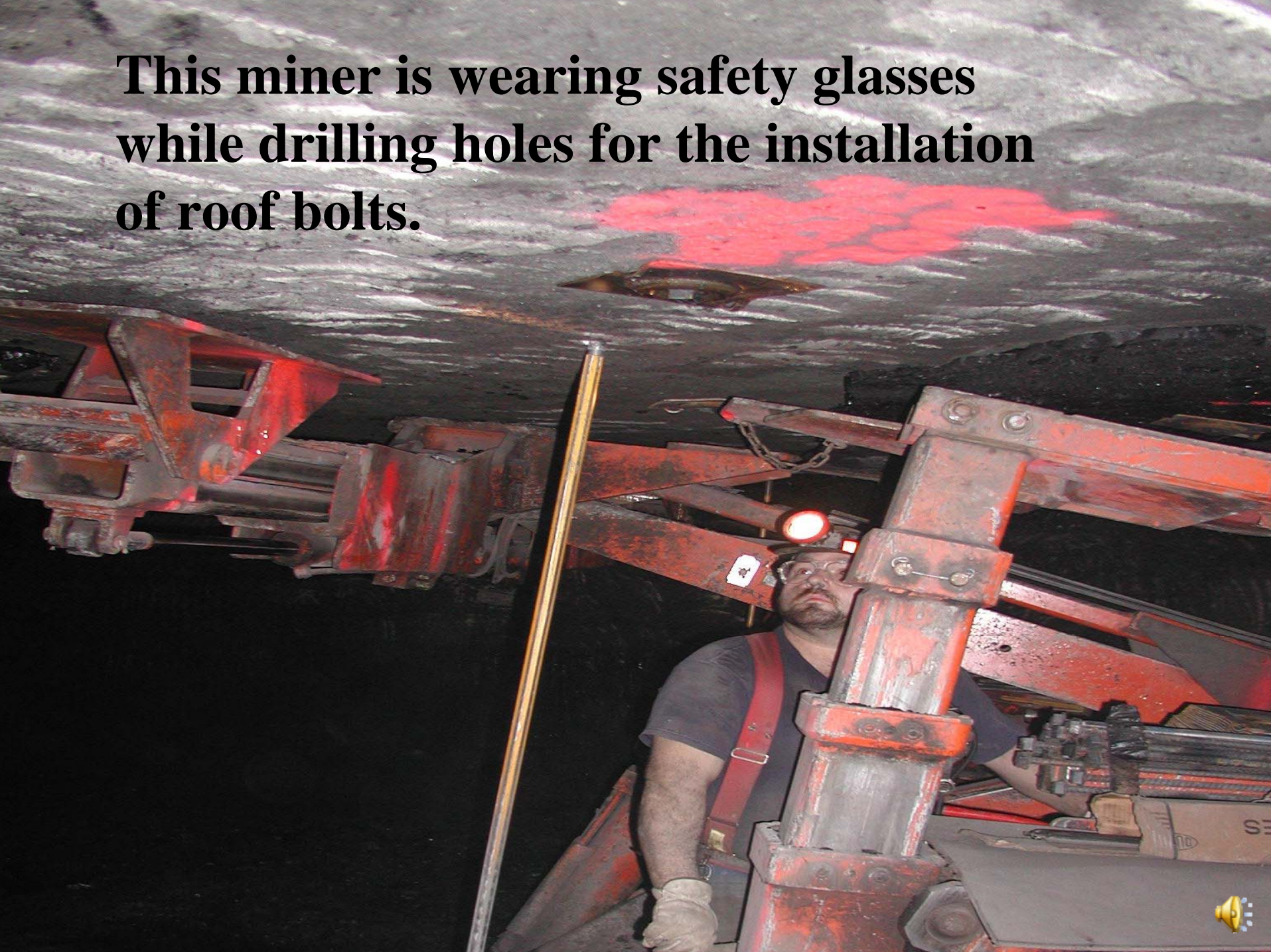


# **352.175 Miners required to wear safety glasses**

**All miners shall wear safety glasses as needed. The safety glasses shall be supplied to the miners by the coal operator at no cost to the miner.**



**This miner is wearing safety glasses while drilling holes for the installation of roof bolts.**



## **352.180 Accidents in mine -- Notice, investigation, assistance, and records**

- Whenever serious personal injury or loss of life occurs in a mine resulting from any type accident, fire, or explosion, or when any other serious accident occurs, the superintendent of the mine, or, if he is absent, the mine foreman in charge of the mine, shall immediately give notice to the mine inspector and to the representative of the miner, stating the particulars of the accident, and if anyone is killed thereby to the commissioner.**



## **352.180 Accidents in mine (continued)**

**•The mine inspector shall immediately go to the scene of the accident and make an investigation and suggestions and render the assistance as he deems necessary for the future safety of the employees, investigate the cause of the fire, explosion, or accident, make a record thereof, and forward it to the commissioner. The record shall be preserved with the other records of his office. To aid in making the investigations, the commissioner or the mine inspector may compel the attendance of witnesses and administer oaths.**





## **352.190 First-aid equipment.**

**For every fifty (50) men and fraction thereof employed underground, the operator of each mine shall keep on hand at the mine one (1) properly constructed stretcher, one (1) waterproof and one (1) woolen blanket, and all other necessary equipment required by the department.**



## 352.201 Roof control plan.

(1) The roof and ribs of all active underground roadways, travelways, and working places shall be supported or otherwise controlled adequately to protect persons from falls of the roof or ribs. A roof control plan and revision thereof suitable to the roof conditions and mining system of each mine and approved by the commissioner or his authorized representative shall be adopted and kept on file in the district office of the district where the mine is located.



THIS PLAN SUPERSEDES ALL PREVIOUS ROOF CONTROL PLANS FOR THIS MINE.

COMPANY NAME BELL COUNTY COAL CORPORATION

MINE NUMBER COAL CREEK

COMPANY ADDRESS RT 1 BOX 290  
MIDDLESBORO KY 40965

STATE FILE NUMBER 18137.2

COMPANY OFFICIAL CHARLES G SNAVELY

REVIEWED BY ROOF CONTROL SPECIALIST George Johnson Signature

DISTRICT SUPERVISOR'S APPROVAL Dave Disney Signature

APPROVAL DATE 5/2/01

EB-45 (REVIEWER 3/97)  
JAN 3 2003

REVIEWER  
JUL 24 2003

**All employees must be trained in the approved roof control plan for their mine. A copy must be available for review at all times.**



## 352.201 Roof control plan - continued

The plan shall show the type of support and spacing approved by the commissioner. No person shall proceed beyond the last permanent support unless adequate temporary support is provided.

A copy of the plan shall be furnished to the commissioner or his authorized representative and shall be available to the miners and their representatives.



## **352.201 Roof control plan - continued**

**(2) The method of mining followed in any mine shall not expose the miner to unusual dangers from roof falls caused by excessive widths of rooms and entries or faulty pillar recovery methods. (3) The licensee shall provide at or near each working face and at other locations in the mine an ample supply of suitable materials of proper size with which to secure the roof of all working places in a safe manner.**



## **352.201 Roof control plan - continued**

**Safety posts, jacks, or other approved devices shall be used to protect the workmen when roof material is being taken down, crossbars are being installed, roof bolt holes are being drilled, roof bolts are being installed, and in other circumstances that may be appropriate. Loose roof and overhanging or loose faces and ribs shall be taken down or supported. Except in the case of recovery work, supports knocked out shall be replaced promptly.**

## **352.201 Roof control plan - continued**

**(5) Where workmen are exposed to danger from falls of roof, face, and ribs they shall examine and test the roof, face, and ribs before any other work is performed or machinery is started, and as frequently thereafter as may be necessary to ensure safety. When dangerous conditions are found, they shall be corrected immediately.**

**This roofbolt operator is taking down some loose coal so that the roofbolts can be installed properly.**





# **805 KAR 5:030**

**Prohibition against working or traveling under unsupported roof; penalties.**

**This administrative regulation establishes procedures for the Department's response in those circumstances in which persons work or travel under unsupported roof.**

# 805 KAR 5:030

**Section 1. Definition. "Unsupported roof" means the roof in any portion of an underground coal mine in which no temporary or permanent roof support system has been installed and shall include any and all areas of an underground coal mine, including breaks, fall areas, and pillar lines;**

# 805 KAR 5:030

**Section 2. (1) No person shall work or travel under unsupported roof in any underground coal mine. No mining-related activities, including equipment installation and maintenance, clean-up or activities preparatory to the installation of temporary or permanent roof support shall be performed under unsupported roof, and no justification for performing any such act(s) shall be accepted by the department.**

**In plain terms, no one  
is allowed to work or  
travel under  
unsupported roof for  
any reason – no  
exceptions!**



**This foreman is checking for gas at the last row of permanent support. The reflective tag is a reminder that no one is to proceed beyond it.**

**Section 2, paragraph 2, of 805 KAR5:030, states that any person who proceeds beyond temporary or permanent roof support shall be personally liable for any violation of proceeding beyond temporary or permanent roof support. Mine foremen or section foremen shall exercise primary and ultimate responsibility to ensure that no person(s) under the authority of that foreman works or travels under unsupported roof.**

**This means that you are liable for your actions. If you violate the law by traveling or working beyond roof support, you will suffer the consequences. If you are not injured or killed as a result of your actions, you could still lose your miner certification and your right to work in a coal mine. Charges can be brought against you if you are observed violating the law by a Department inspector or analyst, or if there is physical evidence indicating that you worked or traveled under unsupported roof. (Section 2, paragraph (3) of 805 KAR 5:030)**

**Section 3 and Section 4 of 805  
KAR 5:030 states the detail and  
order of events that follow  
whenever an inspector observes or  
otherwise determines that mine  
personnel have proceeded under  
unsupported roof.**





**If the person charged with working or traveling under unsupported roof is found guilty of that charge, he shall be required to complete an eight (8) hour course of roof control methods and safety procedures, including roof control plans and the hazards of working or traveling under unsupported roof. The course of instruction shall be developed by the Department, which shall administer it in the office of the district in which the violation is found to have occurred.**



**The person or persons found guilty of working or traveling under unsupported roof :**

- Shall not be paid for the eight (8) hours of roof control training**
- Shall incur an excused absence for attending the roof control training class**



**If the person or persons found guilty of working or traveling under unsupported roof does not attend the roof control class, the Mining Board may commence whatever action it deems appropriate with respect to the failure to complete the class.**



**The person or persons found guilty of a second violation of working or traveling under unsupported roof may be decertified as an underground miner by the Mining Board.**



## **352.210 Conduct in mine -- Intoxication, alcoholic beverage or controlled substance**

**No person shall enter or be on any mine property while intoxicated or under the influence of alcohol or a controlled substance. No alcoholic beverage or controlled substance shall be permitted in or about any mine;**



## **352.270 Storage of oils or similar flammable material**

**Buildings used for the storage of oils or similar flammable material shall not be located within one hundred (100) feet of any hoisting or escape shaft or mine opening. Oil, grease or similar flammable material shall not be stored within one hundred (100) feet of any hoisting or escape shaft or mine opening. Oil and grease used in mines shall be taken into the mine from day to day with one (1) day's supply being the maximum. Oil and grease stored underground shall be kept in closed containers.**



## **352.320 Mine foreman -- Assistants.**

**(1) All commercial coal mines shall employ a certified mine foreman therein to properly carry out the plans and rules when approved by the commissioner of the department and to be responsible for compliance with the provisions of KRS Chapter 351 and this chapter.**

**(2) When the mine workings become so extensive that the mine foreman is unable personally to carry out the duties required of him by law, the operator or superintendent shall employ a sufficient number of persons holding suitable certificates of qualifications to act as assistants to the mine foreman, and under his instructions.**



# **352.330 General duties of mine foreman -- Duty of operator.**

**The mine foreman shall exercise general supervision over the ventilating apparatus and the airways, traveling ways, working places, pumps and drainage, and shall see that as the miners advance their excavations proper breakthroughs are made as required by law to properly ventilate the mine. He shall see that employees are provided with sufficient props, cap pieces, and timbers of suitable size, which shall be delivered to the working place and shall see that the props are cut as square as practicable at both ends and as near as practicable to the proper length required or designated for the places where they are to be used.**





# **352.330 General duties of mine foreman -- Duty of operator.**

**The mine foreman shall see that the water is drained as nearly as practicable out of the working places, and that the working places are kept as free from water as practicable during working hours. He shall see that every person employed to work in the mine is, before beginning to work, instructed in the particular danger incident to his work in the mine and furnished a copy of the rules of the mine. He shall immediately report all violations of the mining laws to the operator or superintendent, who shall report the violations to the mine inspector.**



## **352.340 Examination of mine by mine foreman or assistants -- Removal of dangers -- Record.**

**The mine foreman or his assistants shall visit and carefully examine each working place in the mine at least every four (4) hours while the mine employees are at work. He shall examine as live workings, on regular inspections, all places in live sections that are temporarily abandoned. If the mine foreman finds any place to be in a dangerous condition, he shall not leave the place until it is made safe, or until the employees working therein are removed until the place is made safe.**



## **352.340 Examination of mine by mine foreman or assistants -- Removal of dangers -- Record.**

**He shall see that every mine liberating explosive gas is kept free of standing gas in all working places and roadways, and that all accumulations of explosive or noxious gases in the worked-out or abandoned portions of any mine are removed as soon as possible after discovery. He shall ensure that all preshift examinations are conducted by a certified person and that examinations of conveyor belts have been conducted. He shall not allow any person who may be endangered by the presence of explosive or noxious gases to enter that portion of the mine until the gases have been removed.**



## **352.340 Examination of mine by mine foreman or assistants --**

**He shall direct and see that all dangerous places and the entrances to worked-out and abandoned places in all mines are properly barricaded across the openings, so that no person will enter, and that danger signs are posted upon the barricade to warn persons of existing danger. He shall give prompt attention to the removal of all dangers reported to him by his assistants, the fire boss or any person working in the mine, and if it is impracticable to remove the danger at once he shall notify every person whose safety is menaced thereby to remain away from the portion where the dangerous condition exists.**



## **352.340 Examination of mine by mine foreman or assistants --**

**He or his assistants, fire bosses, or other certified persons shall, at least once every week, travel and examine all air courses, escapeways, seals on the return, roads, and openings that give access to old workings or pillar falls, and make a record of the condition of all places where danger has been found. The record shall be made with ink pencil in the record book provided for that purpose.**



## **352.350 Mine foreman to notify operator or superintendent of dangers**

**(1) The mine foreman shall notify, in writing, the licensee or superintendent of the mine of his inability to comply with any of the requirements of the mining laws, and the licensee or superintendent shall at once attend to the matter complained of by the mine foreman so as to enable him to comply with the mining laws.**



## **352.350 Mine foreman to notify operator or superintendent of dangers**

**(2) The mine foreman shall each day enter and sign plainly with ink, in a book provided for that purpose, a report of the condition of the mine. The report shall clearly state any danger that comes under his observation during the day or is reported to him by his assistants or by the fire bosses, and shall state what action was taken to correct such danger, whether or not there is a proper supply of material on hand for the safe working of the mine, and whether or not the mining laws are being complied with. The mine foreman shall each day read carefully, and countersign with ink, all reports entered in the record book of the fire bosses.**



# 352.350 Mine foreman to notify operator or superintendent of dangers

(3) The mine superintendent, mine foreman, and assistant foreman shall be held jointly responsible for the immediate compliance with the provisions of KRS Chapter 351 and this chapter.





## **352.360 Duty of mine foreman as to breakthroughs, measurement of air current, designation of escapeways, and installation of man doors.**

**(1) The mine foreman shall see that breakthroughs are made as required by law, and shall see that ventilation is conducted by means of the breakthroughs and through the rooms by means of check doors or curtains placed on the entries or other suitable places, and shall not permit any room to be opened in advance of the ventilating current.**



## **352.360 (continued)**

**(2) At least once each week while the mine is in operation the mine foreman, or some certified person designated by the mine foreman, with an anemometer furnished by the licensee, shall measure the air current at the inlet and outlet and at or near the faces of the advanced headings, and shall keep a record of the measurements in a book approved by the commissioner for the purpose.**

**(3) The mine foreman shall see that signboards directing the way to outlets or escapeways are conspicuously placed throughout the mine.**



## **352.360 (continued)**

**(4) Hinged man doors, installed after June 16, 1976, shall be at least thirty (30) inches square or the height of the coal seam, and shall be installed on the intake and the return air course at intervals not to exceed three hundred (300) feet when the height of the coal is below forty-eight (48) inches and at intervals not to exceed five hundred (500) feet when the height of the coal is above forty-eight (48) inches.**

**(5) Where it is necessary to cross a conveyer belt to reach an escapeway man door, unless another safe means is provided, there shall be a stop-start switch controlling the conveyer belt. The switch shall be located in such a manner that it may be reached from each side of the belt.**



# 352.371 Boreholes

**Whenever any working place approaches within fifty (50) feet of abandoned areas in the mine as shown by surveys made and certified by a registered engineer, or within two hundred (200) feet of any other abandoned areas of the mine which cannot be inspected and which may contain dangerous accumulations of water or gas, or within two hundred (200) feet of any workings of an adjacent mine, a borehole or boreholes shall be drilled to a distance of at least twenty (20) feet in advance of the working face of the working place and shall be continually maintained to a distance of at least ten (10) feet in advance of the advancing working face.**



# 352.371 Boreholes - continued

**When there is more than one (1) borehole, they shall be drilled sufficiently close to each other to insure that the advancing working face will not accidentally hole through into abandoned areas or adjacent mines. Boreholes shall also be drilled not more than eight (8) feet apart in the rib of the working place to a distance of at least twenty (20) feet and at an angle of forty-five (45) degrees before additional cuts are taken. Rib holes shall be drilled in one (1) or both ribs of the working place as may be necessary for adequate protection of miners in such place.**



## **352.390 Revocation of certificates**

**The Mine Safety Review Commission shall revoke, suspend, or probate certificates if it is established in the judgment of the commission that the holder has become unworthy to hold the certificate by reason of violation of law, intemperate habits, incapacity, abuse of authority, failure to comply with the mining laws of the Commonwealth of Kentucky, or for other just cause.**



## **352.400 Mine rules.**

**(1) The licensee of any mine may adopt special rules consistent with KRS Chapter 351 and this chapter for the government and operation of his mine, and covering all the work pertaining thereto in and out of the mine. Before the rules are put into effect they shall be approved in writing by the commissioner.**



## **352.400 Mine rules (continued)**

**(2) The mine rules shall be printed in a form prescribed by the commissioner.**

**(3) The licensee shall furnish each employee a copy of the mine rules, and each employee shall sign a statement indicating his receipt of a copy of the rules and his agreement to comply with them.**

**(4) The mine rules shall be included in the subjects taught during annual retraining of the mine's employees.**





# **352.410 Duties of mine superintendent and operator**

**(1) Each superintendent shall, on behalf and at the expense of the operator, keep on hand at or within convenient distance of the mine, not to exceed 500 feet, a sufficient quantity of all materials and supplies required to preserve the safety of employees, as ordered by the mine foreman and required by law. If the superintendent cannot procure the necessary materials or supplies, he shall at once notify the mine foreman, who shall withdraw the men from the mine until the materials or supplies are received.**



## **352.410 Duties of mine superintendent and operator - continued**

**(2) The superintendent shall, at least once each week, read and examine carefully and countersign all reports entered in the mine record book of the mine foreman.**

**(3) The licensee or superintendent shall cooperate with the mine foreman and other officials in the fulfillment of their duties under KRS Chapter 351 and this chapter, and shall direct that the mine foreman and all other employees under him comply with the law, especially when his attention is called by the mine inspector or by the commissioner to any violations of the laws.**



## **352.450 Map of mine to be filed annually**

**The operator or superintendent of each underground mine shall submit a map of the mine annually to the OMSL. The map must be accurate and of professional quality with a scale of not less than one hundred (100) and not more than five hundred (500) feet to the inch. It must show the area mined and the area to be mined and the location of all adjoining and adjacent workings.**



## **352.490 Mine not to extend within twenty-five feet of property line**

**(1) No owner or tenant of any land containing coal shall engage in underground mining within twenty-five (25) feet of the line dividing the mineral owned or held by him from that of another person, without the written consent of every person interested in or having title to the adjoining land in possession, reversion, or remainder, or the guardians of such of those persons as are infants. The owner or tenant must also have the approval of the commissioner.**



## **352.500 Rights of adjoining owners**

**(1) Each owner, tenant or occupant of land on which a mine is opened and worked, or his superintendent, shall permit any person interested in or having title to any land adjoining the mined property to have ingress and egress with surveyors and assistants to explore and survey the mine at his own expense once a month for the purpose of ascertaining whether or not KRS 352.490 has been violated. (2) If the right granted in subsection (1) is refused, complaint may be made before the District Court of the county in which the mine is located, and the court shall issue a summons to the owner, tenant, occupant or superintendent to answer the complaint.**



# **352.510 Mining near oil or gas wells -- Hearing**

**When any underground mine gets to within 500 feet of any gas or petroleum well, the coal mine operator or licensee must submit maps to the Department and to the well operator showing projected mine workings**

**The mine operator shall, every six (6) months, while mining within five hundred (500) feet of the well, bring up to date the maps and plans, or file new maps and plans that are complete and up to date.**



# Oral Review



**When cutting or welding  
inby the last open  
crosscut, what conditions  
must be met?**





# **When cutting or welding in by the last open crosscut, what conditions must be met?**

- **Cutting or welding in by the last open crosscut is permitted in emergencies only**
- **Methane must be below 1%**
- **Rockdust must be available**
- **Fire extinguishers must be readily available (KRS 352.045)**



**Rockdust must be applied to within \_\_\_\_\_ how many feet of the face and must be applied to a minimum percentage of \_\_\_\_\_ % of non combustible matter.**



**Rockdust must be applied to within 40 feet of the face and must be applied to a minimum percentage of 65 % of non combustible matter.  
(KRS 352.060)**



**Does State and Federal laws  
require each coal mine to have a  
“check in and check out” system?**



**Yes, employees must have a positive means of identification on their persons at all times while inside the mine and a record must be kept on the surface of all persons underground at all times.  
(KRS 352.070)**



**Can mine management decide to make new or additional openings at a mine whenever they see fit?**



**No new or additional openings to any underground mine shall be made without submission of maps/plans and approval of the commissioner. (KRS 352.080)**



**What must be done to mine workings that are not being ventilated?**





**They must be sealed and one (1) or more of the seals must be fitted with a pipe and cap or valve to permit the gases behind the seals to be sampled and also to provide a means of determining any water pressure. (KRS 352.090)**



**What is the minimum distance allowed between entries of a shaft or slope mine – in other words, what is the minimum width of the block separating the entries?**



**150 feet**  
**(KRS 352.110)**



**What must be the minimum area or square feet of the coal block separating the entries in a “drift” mine?**



**2000 square feet  
(KRS 352.110)**



**What must be provided in escape outlets or escapeways of shaft mines and how often must they be inspected?**



**They must be provided with approved stairways or ladderways with platforms and/or landings - or an approved hoisting device arrangement. The escapeway outlets must be inspected at least once each week while the mine is operating. (KRS 352.120)**



**Who shall be placed in charge of any mechanism for lowering or hoisting men?**





**A certified hoistman, unless automatic elevators equipped with all necessary safety devices are provided. (KRS 352.140)**



**What is the maximum number of people allowed to ride in a cage or car at one time – in a shaft, slope, or incline, without approval from the mine inspector and the commissioner?**



**No more than 20 persons, without approval. (KRS 352.140)**



**What is the maximum speed  
of mantrip vehicles?**



**Man-trips shall be operated at safe speeds consistent with the condition of roads and type of equipment used and shall be so controlled that they can be stopped within the limits of visibility, in no event at a speed in excess of twelve (12) miles per hour.**

**(KRS 352.150)**



**Where belts are used for transporting men, what is the minimum clearance allowed between the belt and the roof?**



**The minimum clearance shall be 18 inches but must be maintained to 24 inches if the height of coal bed permits. (KRS 352.150)**



**What is the maximum speed of the belt for transporting men when the minimum height is 18 inches or 24 inches?**





**250 feet per minute for 18 inches of clearance and 300 feet per minute for 24 inches of clearance. (KRS 352.150)**



**What is the minimum space allowed between men riding on a beltline and what must be provided at loading and unloading stations?**



**Six (6) feet is the minimum distance allowed between men riding on a beltline and the loading/unloading stations must be illuminated properly. (KRS 352.150)**



**Who must supervise all  
mantrips?**



**A certified official or  
some other supervisory  
personnel appointed by  
the mine foreman.  
(KRS 352.150)**



**What must be available  
on all underground  
sections where men  
are present to transport  
injured workers to the  
surface?**



**Efficient equipment,  
either mobile or self-  
propelled, equipped with  
sufficient first-aid  
equipment and supplies.  
(KRS 352.150)**



**If a coal mine has a contract or other arrangement for providing ambulance service to injured workers, how shall the mine access road be maintained?**





**The access road to the mine or preparation facility shall be kept in a condition which is passable by the ambulance vehicle. (KRS 352.150)**



**What if the mine does not  
have a contract or  
arrangement for  
ambulance service?**



**At those mines that do not have a contract or other arrangement for providing ambulance service, a 4-wheel-drive vehicle or other vehicle suitable to the terrain equipped with sufficient first-aid equipment and supplies shall be available to the mines or preparation facilities for the transportation of injured workers.  
(KRS 352.150)**



**Are conveyor belts  
required to be inspected?**



**All mines utilizing conveyor belts shall have one (1) or more persons to examine the conveyor belts while in operation in the mine to determine that no coal or mine refuse is being transported on the conveyor belt in a manner which would pose a threat to the health and safety of the employees or to the safety of the mine.  
(KRS 352.161)**



**What kind of gas detection devices shall foreman and fire bosses use for detecting explosive gases and oxygen deficiencies in the mine?**



# Approved gas detection devices (KRS 352.170)



**Does State and Federal law  
prohibit intoxicants and  
smoking articles in the mine?**





**State and Federal law prohibits the carrying of smoking articles and intoxicants into the mine and requires that searches be conducted at frequent intervals to prevent use of such articles. (KRS 352.170)**



**Are miners required to wear safety glasses in the mine?**



**All miners shall wear safety glasses as needed. The safety glasses shall be supplied to the miners by the coal operator at no cost to the miner. (KRS 352.175)**



**What type of accidents in the mine must be reported immediately to the OMSL?**



**Serious personal injury or loss of life, or whenever a fire, explosion, or other serious accident occurs, must be reported. (KRS 352.180)**



**Yes or No**

**Are all mines required to have  
an approved roof control?**



**Yes, and a copy of the plan shall be furnished to the commissioner or his authorized representative and shall also be available to the miners and their representatives. (KRS 352.201)**



**What are some requirements  
for approved roof control  
plans?**





# **Roof control plan requirements: (KRS 352.201)**

- **The roof and ribs of all active underground roadways, travelways, and working places shall be supported or otherwise controlled adequately to protect persons from falls of the roof or ribs.**
- **Show the type of support and spacing**
- **The method of mining followed shall not expose the miners to unusual dangers from roof falls caused by excessive widths of rooms and entries or faulty pillar recovery methods.**
- **An ample supply of roof materials shall be provided to secure the roof of all working places**



## **Roof control plan requirements - continued (KRS 352.201)**

- No person shall proceed beyond the last permanent support unless adequate temporary support is provided.**
- Where workmen are exposed to danger from falls of roof, face, and ribs they shall examine and test the roof, face, and ribs before any other work is performed or machinery is started, and as frequently thereafter as may be necessary to insure safety.**
- When dangerous conditions are found, they shall be corrected immediately.**



**How shall we conduct ourselves  
in the mine ?**



**No person shall damage any mine machinery or mine ventilation system, disobey any order complying with the mine law, do any act endangering the life or health of any person employed in the mine or enter or be on mine property while intoxicated or under the influence of alcohol or a controlled substance. No alcoholic beverage or controlled substance shall be permitted in or about any mine; provided, however, this shall not apply to private vehicles driven to and from the mine.**

**(KRS 352.210)**



**How close shall buildings for storage of oils or other similar flammable materials be located to shaft or mine openings?**



**No closer than 100 feet  
(KRS 352.270)**



**How close shall oils or other similar flammable materials be stored near shaft or mine openings?**



**No closer than 100 feet  
(KRS 352.270)**





**What are some general  
duties of a mine foreman?**



# **General duties of a mine foreman: (KRS 352.330)**

- **Shall exercise general supervision over the ventilation system**
- **Make sure employees have adequate roof bolting supplies**
- **Maintain water drainage of the mine**
- **See to it that everyone has been properly trained in the task they are assigned**
- **Report all violations to operator or superintendent**



**How often shall the mine foreman or his assistant visit and examine each working place in the mine?**



**He shall visit and examine each working place in the mine at least every four (4) hours.  
(KRS 352.340)**



**If the mine foreman finds any place to be in a dangerous condition, what shall he do?**



**He shall not leave the place until it is made safe, or until the employees working therein are removed until the place is made safe. (KRS 352.340)**



# **Name some other responsibilities of a mine foreman or his assistants?**

**(KRS 352.340)**

- He shall see that all explosive gases are removed as soon as possible after discovery**
- He shall see that pre-shift exams are conducted by a certified person and that examinations of conveyor belts have been conducted**
- He shall see that all dangerous places and entrances to worked out or abandoned places have been properly barricaded**



## **Continued - responsibilities of a mine foreman or his assistants? (KRS 352.340)**

- He shall give prompt attention to the removal of all dangers reported to him by fire bosses and assistants**
- He or his assistants, fire bosses or other certified persons shall, at least once each week, travel and examine all air courses, escapeways, seals on the return, roads, and openings to old workings or pillar falls, and make a record of the conditions and also record it in ink, in the record book for that purpose.**





**What is the responsibility of the mine foreman regarding ventilation and breakthroughs or crosscuts?**



**The mine foreman shall see that breakthroughs are made as required by law, and shall see that ventilation is conducted by means of the breakthroughs and through the rooms by means of check doors or curtains placed on the entries or other suitable places, and shall not permit any room to be opened in advance of the ventilating current.**

**(KRS 352.360)**



**How often shall the mine foreman measure the air current at the inlet and outlet and at or near the faces of the advanced headings?**



**At least once each week while the mine is in operation the mine foreman, or some certified person designated by the mine foreman, with an anemometer furnished by the licensee, shall measure the air current at the inlet and outlet and at or near the faces of the advanced headings, and shall keep a record of the measurements in a book approved by the commissioner for the purpose. (352.360)**



**Hinged man doors shall be installed on the intake and the return air course at intervals not to exceed three hundred (300) feet when the height of the coal is below how many inches?**



**48 inches (KRS 352.360)**



**If the coal is more than 48 inches high, at what distances must hinged man doors be hung?**



**At intervals not to exceed 500 feet. (KRS 352.360)**





**What must be provided where it is necessary to cross a conveyer belt to reach an escapeway man door?**



**Unless another safe means is provided, a stop-start switch controlling the conveyer belt must be provided. (KRS 352.260)**



**How close does State and Federal regulations allow you to mine near old mine workings without drilling boreholes in advance of the working faces?**



**To within fifty (50) feet of abandoned areas in the mine as shown by surveys made and certified by a registered engineer (KRS 352.371 and CFR 75.388) and....**



**How deep shall the boreholes be drilled and what spacing is permitted between them according to State and Federal regulations?**



**They must be drilled and maintained to a distance of 10 feet beyond the deepest cut and they can be no more than eight (8) feet apart. (KRS 352.371 and CFR 75.388)**



**Boreholes must also be drilled in the ribs of working places to a distance of 10 feet beyond the deepest cut. (KRS 352.371 and CFR 75.388)**



**What are some responsibilities  
of a mine superintendent?**





**He shall keep on hand, within 500 feet of the mine, a sufficient supply of materials and supplies to preserve the safety of the employees, as ordered by the mine foreman and required by the law. (KRS 352.410)**



**What are some other responsibilities of a mine superintendent?**



**He shall, at least once each week, read and examine carefully and countersign all reports entered in the mine record book of the mine foreman. (KRS 352.410)**



**Is a mine map required to be filed annually with the OMSL?**



**Yes, the operator or superintendent of each underground mine shall annually make or cause to be made a map of the workings of the mine which is accurate and of professional quality, on a scale of not less than one hundred (100) and not more than five hundred (500) feet to the inch. (KRS 352.450)**



**How close does the law allow  
you to mine to the property  
line?**



**To within 25 feet. (KRS  
352.490)**



**When mining near gas or petroleum wells, the mine operator or licensee must submit a map to the department or OMSL when mining gets to within \_\_\_\_\_ feet of the gas or petroleum well?**





**To within 500 feet. (KRS  
352.510)**



**If mining continues near the gas, petroleum or oil wells, how often must maps be resubmitted to the department or OMSL?**



**Up to date maps must be  
submitted every six months.  
(KRS 352.510)**



# End of Unit 2