

§ 77.104

high-voltage lines) shall continue to be qualified until June 30, 1973. To remain qualified after June 30, 1973, such individual shall meet the requirements of either paragraph (a) (1), (2), or (3) of this section.

(g) An individual qualified in accordance with this section shall, in order to retain qualification, certify annually to the District Manager, that he has satisfactorily completed a coal mine electrical retraining program approved by the Secretary.

01(a), Federal Coal Mine Health and Safety Act of 1969; 30 U.S.C. 811(a); 83 Stat. 745)

[37 FR 22377, Oct. 19, 1972; 37 FR 28163, Dec. 21, 1972, as amended at 44 FR 9380, Feb. 13, 1979; 47 FR 23641, May 28, 1982]

§ 77.104 Repair of energized surface high-voltage lines; qualified person.

An individual is a qualified person within the meaning of § 77.704 of this part for the purpose of repairing energized surface high-voltage lines only if he has had at least 2 years experience in electrical maintenance, and at least 2 years experience in the repair of energized high-voltage lines located on poles or structures.

[36 FR 9364, May 22, 1971, as amended at 36 FR 13143, July 15, 1971]

§ 77.105 Qualified hoistman; slope or shaft sinking operation; qualifications.

(a)(1) A person is a qualified hoistman within the provisions of Subpart T of this part, for the purpose of operating a hoist at a slope or shaft sinking operation if he has at least 1 year experience operating a hoist plant or maintaining hoist equipment and is qualified by any State as a hoistman or its equivalency, or

(2) If a State has no program for qualifying persons as hoistmen, the Secretary may qualify persons if the operator of the slope or shaft-sinking operation makes an application and a satisfactory showing that the person has had 1 year of experience operating hoists. A person's qualification is valid for as long as the person continues to satisfy the requirements for qualification and is employed at the same coal mine or by the same independent contractor.

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(b) Applications for Secretarial qualification should be submitted to the Mine Safety and Health Administration, Certification and Qualification Center, P.O. Box 25367, Denver Federal Center, Denver, Colo. 80225.

[36 FR 9364, May 22, 1971, as amended at 43 FR 12320, Mar. 24, 1978; 54 FR 30515, July 20, 1989]

§ 77.106 Records of certified and qualified persons.

The operator of each coal mine shall maintain a list of all certified and qualified persons designated to perform duties under this Part 77.

(Pub. L. No. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 et seq.))

[36 FR 9364, May 22, 1971, as amended at 60 FR 33723, June 29, 1995]

§ 77.107 Training programs.

Every operator of a coal mine shall provide a program, approved by the Secretary, of training and retraining both qualified and certified persons needed to carry out functions prescribed in the Act.

§ 77.107-1 Plans for training programs.

Each operator must submit to the district manager, of the Coal Mine Safety and Health District in which the mine is located, a program or plan setting forth what, when, how, and where the operator will train and retrain persons whose work assignments require that they be certified or qualified. The program must provide—

(a) For certified persons, annual training courses in the tasks and duties which they perform as certified persons, first aid, and the provisions of this part 77; and

(b) For qualified persons, annual courses in performance of the tasks which they perform as qualified persons.

[63 FR 53761, Oct. 6, 1998]

Subpart C—Surface Installations

§ 77.200 Surface installations; general.

All mine structures, enclosures, or other facilities (including custom coal preparation) shall be maintained in

good repair to prevent accidents and injuries to employees.

§ 77.201 Methane content in surface installations.

The methane content in the air of any structure, enclosure or other facility shall be less than 1.0 volume per centum.

§ 77.201-1 Tests for methane; qualified person; use of approved device.

Tests for methane in structures, enclosures, or other facilities, in which coal is handled or stored shall be conducted by a qualified person with a device approved by the Secretary at least once during each operating shift, and immediately prior to any repair work in which welding or an open flame is used, or a spark may be produced.

§ 77.201-2 Methane accumulations; change in ventilation.

If, at any time, the air in any structure, enclosure or other facility contains 1.0 volume per centum or more of methane changes or adjustments in the ventilation of such installation shall be made at once so that the air shall contain less than 1.0 volume per centum of methane.

§ 77.202 Dust accumulations in surface installations.

Coal dust in the air of, or in, or on the surfaces of, structures, enclosures, or other facilities shall not be allowed to exist or accumulate in dangerous amounts.

§ 77.203 Use of material or equipment overhead; safeguards.

Where overhead repairs are being made at surface installations and equipment or material is taken into such overhead work areas, adequate protection shall be provided for all persons working or passing below the overhead work areas in which such equipment or material is being used.

§ 77.204 Openings in surface installations; safeguards.

Openings in surface installations through which men or material may fall shall be protected by railings, barriers, covers or other protective devices.

§ 77.205 Travelways at surface installations.

(a) Safe means of access shall be provided and maintained to all working places.

(b) Travelways and platforms or other means of access to areas where persons are required to travel or work, shall be kept clear of all extraneous material and other stumbling or slipping hazards.

(c) Inclined travelways shall be constructed of nonskid material or equipped with cleats.

(d) Regularly used travelways shall be sanded, salted, or cleared of snow and ice as soon as practicable.

(e) Crossovers, elevated walkways, elevated ramps, and stairways shall be of substantial construction, provided with handrails, and maintained in good condition. Where necessary toeboards shall be provided.

(f) Crossovers shall be provided where it is necessary to cross conveyors.

(g) Moving conveyors shall be crossed only at designated crossover points.

§ 77.206 Ladders; construction; installation and maintenance.

(a) Ladders shall be of substantial construction and maintained in good condition.

(b) Wooden members of ladders shall not be painted.

(c) Steep or vertical ladders which are used regularly at fixed locations shall be anchored securely and provided with backguards extending from a point not more than 7 feet from the bottom of the ladder to the top of the ladder.

(d) Fixed ladders shall not incline backwards at any point unless provided with backguards.

(e) Fixed ladders shall be anchored securely and installed to provide at least 3 inches of toe clearance.

(f) Fixed ladders shall project at least 3 feet above landings, or substantial handholds shall be provided above the landings.

§ 77.207 Illumination.

Illumination sufficient to provide safe working conditions shall be provided in and on all surface structures, paths, walkways, stairways, switch