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by the mine operator and who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. Persons conducting donning and transferring training shall be able to effectively train and evaluate whether miners can successfully don the SCSR and transfer to additional SCSR devices.

(3) The operator shall submit this program of instruction, and any revisions, for approval to the District Manager of the Coal Mine Safety and Health district in which the mine is located. Before implementing any new or revised approved provision, the operator shall instruct miners in the changes.

(b) In addition to the approved program of instruction required by paragraph (a) of this section, each operator of an underground coal mine shall ensure that:

(1) At least two miners in each working section on each production shift are proficient in the use of all fire suppression equipment available on such working section, and know the location of such fire suppression equipment;

(2) Each operator of attended equipment specified in § 75.1107-1(c)(1), and each miner assigned to perform job duties at the job site in the direct line of sight of attended equipment as described in § 75.1107-1(c)(2), is proficient in the use of fire suppression devices installed on such attended equipment; and,

(3) The shift foreman and at least one miner for every five miners working underground on a maintenance shift are proficient in the use of fire suppression equipment available in the mine, and know the location of such fire suppression equipment.

(c) *Mine emergency evacuation drills.* Each operator of an underground coal mine shall require all miners to participate in mine emergency evacuation drills.

(1) Mine emergency evacuation drills shall be held at periods of time so as to ensure that all miners participate in such evacuations at intervals of not more than 90 days.

(2) For purposes of this paragraph (c), a mine emergency evacuation drill means that the miner shall travel the primary or alternate escapeway, from

the working section or the miner's work station, to the surface or the exits at the bottom of the shaft or slope. An evacuation drill shall not be conducted in the same escapeway as the immediately preceding drill. At a minimum, this drill shall include:

(i) Physically locating continuous directional lifelines or equivalent devices and stored SCSRs;

(ii) Hands-on training in the complete donning of all types of SCSRs used at the mine, which includes assuming a donning position, opening the device, activating the device, inserting the mouthpiece or simulating this task while explaining proper insertion of the mouthpiece, and putting on the nose clip; and

(iii) Hands-on training in transferring from one self-rescue device to an SCSR.

(3) The operator shall certify by signature and date that the mine emergency evacuation drills were held in accordance with the requirements of this section. This certification shall include the names of the miners participating in each drill. Certifications shall be kept at the mine for one year and made available on request to an authorized representative of the Secretary, and to the representative of the miners.

(4) These mine emergency evacuation drills may be used to satisfy the evacuation specifications of the drills required by paragraph (b) of § 75.383 of this part.

(d) Each underground coal operator shall submit for approval a revised program of instruction to the appropriate District Manager no later than April 10, 2006. Within 2 weeks of program approval the operator shall train in accordance with the revised program.

[68 FR 53050, Sept. 9, 2003, as amended at 71 FR 12269, Mar. 9, 2006]

Subpart Q—Communications

§ 75.1600 Communications.

[STATUTORY PROVISIONS]

Telephone service or equivalent two-way communication facilities, approved by the Secretary or his authorized representative, shall be provided between the surface and each landing

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of main shafts and slopes and between the surface and each working section of any coal mine that is more than 100 feet from a portal.

§ 75.1600-1 Communication facilities; main portals; installation requirements.

A telephone or equivalent two-way communication facility shall be located on the surface within 500 feet of all main portals, and shall be installed either in a building or in a box-like structure designed to protect the facilities from damage by inclement weather. At least one of these communication facilities shall be at a location where a responsible person who is always on duty when men are underground can hear the facility and respond immediately in the event of an emergency.

[38 FR 29999, Oct. 31, 1973]

§ 75.1600-2 Communication facilities; working sections; installation and maintenance requirements; audible or visual alarms.

(a) Telephones or equivalent two-way communication facilities provided at each working section shall be located not more than 500 feet outby the last open crosscut and not more than 800 feet from the farthest point of penetration of the working places on such section.

(b) The incoming communication signal shall activate an audible alarm, distinguishable from the surrounding noise level, or a visual alarm that can be seen by a miner regularly employed on the working section.

(c) If a communication system other than telephones is used and its operation depends entirely upon power from the mine electric system, means shall be provided to permit continued communication in the event the mine electric power fails or is cut off; provided, however, that where trolley phones and telephones are both used, an alternate source of power for the trolley phone system is not required.

(d) Trolley phones connected to the trolley wire shall be grounded in accordance with Subpart H of this part.

(e) Telephones or equivalent two-way communication facilities shall be maintained in good operating condi-

tion at all times. In the event of any failure in the system that results in loss of communication, repairs shall be started immediately, and the system restored to operating condition as soon as possible.

[38 FR 29999, Oct. 31, 1973]

Subpart R—Miscellaneous

§ 75.1700 Oil and gas wells.

[STATUTORY PROVISIONS]

Each operator of a coal mine shall take reasonable measures to locate oil and gas wells penetrating coalbeds or any underground area of a coal mine. When located, such operator shall establish and maintain barriers around such oil and gas wells in accordance with State laws and regulations, except that such barriers shall not be less than 300 feet in diameter, unless the Secretary or his authorized representative permits a lesser barrier consistent with the applicable State laws and regulations where such lesser barrier will be adequate to protect against hazards from such wells to the miners in such mine, or unless the Secretary or his authorized representative requires a greater barrier where the depth of the mine, other geologic conditions, or other factors warrant such a greater barrier.

§ 75.1702 Smoking; prohibition.

[STATUTORY PROVISIONS]

No person shall smoke, carry smoking materials, matches, or lighters underground, or smoke in or around oil houses, explosives magazines, or other surface areas where such practice may cause a fire or explosion. The operator shall institute a program, approved by the Secretary, to insure that any person entering the underground area of the mine does not carry smoking materials, matches, or lighters.

[35 FR 17890, Nov. 20, 1970, as amended at 60 FR 33723, June 29, 1995]

§ 75.1702-1 Smoking programs.

Programs required under § 75.1702 shall be submitted to the Coal Mine Safety District Manager for approval on or before May 30, 1970.