

the person, it shall be placed in a readily accessible location no greater than 25 feet from such person.

(d) Where a person works on or around equipment, the self-rescue device may be placed in a readily accessible location on such equipment.

(e) A mine operator may apply to the District Manager under § 75.1502 for permission to place the SCSR more than 25 feet away.

(1) The District Manager shall consider the following factors in deciding whether to permit an operator to place a SCSR more than 25 feet from a miner:

- (i) Distance from affected sections to surface,
- (ii) Pitch of seam in affected sections,
- (iii) Height of coal seam in affected sections,
- (iv) Location of escapeways,
- (v) Proposed location of SCSRs,
- (vi) Type of work performed by affected miners,
- (vii) Degree of risk to which affected miners are exposed,
- (viii) Potential for breaking into oxygen deficient atmospheres,
- (ix) Type of risk to which affected miners are exposed,
- (x) Accident history of mine, and
- (xi) Other matters bearing upon the safety of miners.

(2) Such application shall not be approved by the District Manager unless it provides that, while underground, all miners whose SCSR is more than 25 feet away shall have a FSR approved by MSHA and NIOSH under 42 CFR part 84 sufficient to enable each miner to get to a SCSR.

(3) An operator may not obtain permission under paragraph (e) of this section to place SCSRs more than 25 feet away from miners on trips into and out of the mine.

(f) A sign with the word "SELF-RESCUER" or "SELF-RESCUERS" shall be conspicuously posted at each storage location and shall be made of reflective material. Direction signs made of a reflective material shall be posted leading to each storage place.

(g) Where devices of not less than 10 minutes and 1 hour are made available in accordance with § 75.1714-1(b), such

devices shall be used and located as follows:

(1) Except as provided in paragraphs (c) and (d) of this section, the device of not less than 10 minutes shall be worn or carried at all times by each person when underground, and

(2) The 1-hour canister shall be available at all times to all persons when underground in accordance with a plan submitted by the mine operator and approved by the District Manager. When the one-hour canister is placed in a cache or caches, a sign made of a reflective material with the word "SELF-RESCUERS" shall be conspicuously posted at each cache, and direction signs made of a reflective material shall be posted leading to each cache.

[43 FR 54246, Nov. 21, 1978, as amended at 60 FR 30401, June 8, 1995; 69 FR 8108, Feb. 23, 2004; 71 FR 12270, Mar. 9, 2006]

§ 75.1714-3 Self-rescue devices; inspection, testing, maintenance, repair, and recordkeeping.

(a) Each operator shall provide for proper inspection, testing, maintenance, and repair of self-rescue devices by a person trained to perform such functions.

(b) After each time a self-rescue device is worn or carried by a person, the device shall be inspected for damage and for the integrity of its seal by a person trained to perform this function. Self-rescue devices with broken seals or which are damaged so that the device will not function properly shall be removed from service.

(c) All FSRs approved by MSHA and NIOSH under 42 CFR part 84, except devices using vacuum containers as the only method of sealing, shall be tested at intervals not exceeding 90 days by weighing each device on a scale or balance accurate to within +1 gram. A device that weighs more than 10 grams over its original weight shall be removed from service.

(d) All SCSRs approved by MSHA and NIOSH under 42 CFR part 84 shall be tested in accordance with instructions approved by MSHA and NIOSH. Any device which does not meet the specified test requirements shall be removed from service.

(e) At the completion of each test required by paragraphs (c) and (d) of this

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section the person making the tests shall certify by signature and date that the tests were done. This person shall make a record of all corrective action taken. Certifications and records shall be kept at the mine and made available on request to an authorized representative of the Secretary.

(f) Self-rescue devices removed from service shall be repaired for return to service only by a person trained to perform such work and only in accordance with the manufacturer's instructions.

[43 FR 54246, Nov. 21, 1978, as amended at 47 FR 14706, Apr. 6, 1982; 56 FR 1478, Jan. 14, 1991; 60 FR 30402, June 8, 1995; 60 FR 33723, June 29, 1995]

§ 75.1714-4 Additional Self-Contained Self-Rescuers.

(a) In addition to the requirements in §§ 75.1714, 75.1714-1, 75.1714-2, and 75.1714-3, the mine operator shall provide for each person who is underground at least one additional SCSR device, which provides protection for a period of one hour or longer, to cover all persons in the mine.

(b) If a mantrip or mobile equipment is used to enter or exit the mine, additional SCSR devices, each of which provides protection for a period of one hour or longer, shall be available for all persons who use such transportation from portal to portal.

(c) When the SCSR devices otherwise required by paragraph (a) of § 75.1714 are not adequate to provide enough oxygen for all persons to safely evacuate the mine under mine emergency conditions, the mine operator shall provide additional SCSR devices in the primary and alternate escapeways. Under these circumstances, the mine operator shall submit an outby SCSR storage plan to the appropriate District Manager for approval. The mine operator shall include in the outby SCSR storage plan that is required by this paragraph, the location, quantity, and type of additional SCSR devices, each of which provides protection for a period of one hour or longer, that are stored in the primary and alternate escapeways. The outby SCSR storage plan shall also show how the storage location(s) in the primary and alternate escapeways was determined. The District Manager may require the mine

operator to demonstrate that the location, quantity, and type of the additional SCSRs provide protection to all persons to safely evacuate the mine. The outby SCSR storage plan shall be kept current by the mine operator and made available for inspection by an authorized representative of the Secretary and by the miners' representative.

(d) All SCSR devices required under this section shall be stored in locations that are conspicuous and that are readily accessible by each person in the mine. In addition, all SCSR devices required under this section shall be stored according to manufacturers' instructions.

(e) A sign made of reflective material with the words "SELF-RESCUERS" shall be conspicuously posted at each storage location and direction signs made of a reflective material shall be posted leading to each storage location.

[71 FR 12270, Mar. 9, 2006]

§ 75.1714-5 Map locations of Self-Contained Self-Rescuers.

The mine operator shall include the storage location(s) of all SCSR devices subject to storage plans as required by § 75.1714-2 and paragraph 75.1714-4(c) on the posted § 75.383 mine escapeway map and on the § 75.1200 mine map.

[71 FR 12271, Mar. 9, 2006]

§ 75.1715 Identification check system.

[STATUTORY PROVISIONS]

Each operator of a coal mine shall establish a check-in and check-out system which will provide positive identification of every person underground, and will provide an accurate record of the persons in the mine kept on the surface in a place chosen to minimize the danger of destruction by fire or other hazard. Such record shall bear a number identical to an identification check that is securely fastened to the lamp belt worn by the person underground. The identification check shall be made of a rust resistant metal of not less than 16 gauge.