

(3) Whether, in accordance with the usual mining practices common to the particular district, the proposed new openings would have been considered a new mine or part of the existing mine. A number of factors will be considered including, but not limited to:

- (i) The relationship between the coalbeds currently being mined, and those proposed to be mined;
- (ii) The distance between existing openings and the proposed new opening(s);
- (iii) The projected time elapsing between the start of the new opening(s) and planned interconnection, if any, with the existing mine; and
- (iv) The projected tonnage of coal which is expected to be mined prior to interconnection where interconnection is planned.

The District Manager shall notify the operator in writing within 30 days of receiving all of the information, required and requested, of his determination. No informal notification shall be given.

(c) All new opening(s) shall be operated as a new mine prior to receiving a written notification from the District Manager that such new opening(s) will be considered part of an existing mine coming under section 305(a)(2) of the Act and § 75.501.

(d) Nothing in this § 75.501-3 shall be construed to relieve the operator from compliance with any of the mandatory standards contained in this Part 75.

[37 FR 8949, May 3, 1972]

§ 75.502 Permits for noncompliance.

An operator need not comply with paragraph (d) of § 75.500 or with § 75.501 during the period of time specified in a permit issued by the Interim Compliance Panel established by the Act.

§ 75.503 Permissible electric face equipment; maintenance.

[STATUTORY PROVISIONS]

The operator of each coal mine shall maintain in permissible condition all electric face equipment required by §§ 75.500, 75.501, 75.504 to be permissible which is taken into or used in by the last open crosscut of any such mine.

§ 75.503-1 Statement listing all electric face equipment.

Each operator of a coal mine shall complete and file Mine Safety and Health Administration Form No. 6-1496 entitled "Coal Operator's Electrical Survey" and Form 6-1496 Supplemental entitled "Operator's Survey of Electrical Face Equipment." Forms may be obtained from any MSHA Coal Mine Safety and Health district office. Separate forms shall be filed for each mine. Copies one and two of the completed form shall be filed with the Coal Mine District Manager for the district in which each mine is located on or before May 30, 1970. An operator must list all electric face equipment being used at each mine as of the time of filing, all such equipment being repaired, and all standby electric equipment stored at or in the mine which the operator intends to use as face equipment.

[35 FR 17890, Nov. 20, 1970, as amended at 71 FR 16668, Apr. 3, 2006]

§ 75.504 Permissibility of new, replacement, used, reconditioned, additional, and rebuilt electric face equipment.

On and after March 30, 1971, all new, replacement, used, reconditioned, and additional electric face equipment used in any mine referred to in §§ 75.500, 75.501, and 75.503 shall be permissible and shall be maintained in a permissible condition, and in the event of any major overhaul of any item of electric face equipment in use on or after March 30, 1971, such equipment shall be put in, and thereafter maintained in, a permissible condition, unless in the opinion of the Secretary, such equipment or necessary replacement parts are not available.

[38 FR 4975, Feb. 23, 1973]

§ 75.505 Mines classed gassy; use and maintenance of permissible electric face equipment.

[STATUTORY PROVISION]

Any coal mine which, prior to March 30, 1970, was classed gassy under any provision of law and was required to use permissible electric face equipment and to maintain such equipment in a permissible condition shall continue to