

(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

**§ 75.506**

**30 CFR Ch. I (7-1-06 Edition)**

use such equipment and to maintain such equipment in such condition.

**§ 75.506 Electric face equipment; requirements for permissibility.**

(a) Electric-driven mine equipment and accessories manufactured on or after March 30, 1973, will be permissible electric face equipment only (1) if they are fabricated, assembled, or built under an approval, or any extension thereof, issued by the Bureau of Mines or the Mine Safety and Health Administration in accordance with schedule 2G, or any subsequent Bureau of Mines schedule promulgated by the Secretary after March 30, 1970, which amends, modifies, or supersedes the permissibility requirements of schedule 2G, and (2) if they are maintained in a permissible condition.

(b) Except as provided in paragraph (c) of this § 75.506 electric-driven mine equipment and accessories manufactured prior to March 30, 1973, will be permissible electric face equipment (1) if they were fabricated, assembled, or built under an approval, or any extension thereof, issued by the Bureau of Mines in accordance with the schedules set forth below, and (2) if they are maintained in a permissible condition.

Bureau of Mines Schedule 2D, May 23, 1936;  
Bureau of Mines Schedule 2E, February 15, 1945;  
Bureau of Mines Schedule 2F, August 3, 1955;  
and  
Bureau of Mines Schedule 2G, March 19, 1968.

Copies of these schedules are available at all MSHA Coal Mine Safety and Health district offices.

(c) Electric driven mine equipment and accessories bearing the Bureau of Mines approval numbers listed in Appendix A to this subpart are permissible electric face equipment only if they are maintained in a permissible condition.

(d) The following equipment will be permissible electric face equipment only if it is approved under the appropriate parts of this chapter, or former Bureau of Mines' approval schedules, and if it is in permissible condition:

- (1) Multiple-Shot Blasting Units, part 7 subpart D;
- (2) Electric Cap Lamps, part 19;
- (3) Electric Mine Lamps Other than Standard Cap Lamps, part 20;

- (4) Flame Safety Lamps;
- (5) Portable Methane Detectors, part 22;
- (6) Telephone and Signaling Devices, part 23;
- (7) Single-Shot Blasting Units;
- (8) Lighting Equipment for Illuminating Underground Workings;
- (9) Methane-Monitoring Systems, part 27; and
- (10) Continuous Duty, Warning Light, Portable Methane Detectors, 30 CFR part 29 contained in the 30 CFR, parts 1-199, edition, revised as of July 1, 1999.

[35 FR 17890, Nov. 20, 1970, as amended at 63 FR 47119, Sept. 3, 1998; 64 FR 43283, Aug. 10, 1999; 71 FR 16668, Apr. 3, 2006]

**§ 75.506-1 Electric face equipment; permissible condition; maintenance requirements.**

(a) Except as provided in paragraph (b) of this section, electric face equipment which meets the requirements for permissibility set forth in § 75.506 will be considered to be in permissible condition only if it is maintained so as to meet the requirements for permissibility set forth in the Bureau of Mines schedule under which such electric face equipment was initially approved, or, if the equipment has been modified, it is maintained so as to meet the requirements of the schedule under which such modification was approved.

(b) Electric face equipment bearing the Bureau of Mines approval number listed in Appendix A of this subpart will be considered to be in permissible condition only if it is maintained so as to meet the requirements for permissibility set forth in Bureau of Mines Schedule 2D or, if such equipment has been modified, it is maintained so as to meet the requirements of the schedule under which the modification was approved.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, where the minimum requirements for permissibility set forth in the appropriate Bureau of Mines schedule under which such equipment or modifications were approved have been superseded by the requirements of this Part 75, the latter requirements shall be applicable.