

(c) If no tests are necessary, the applicant will be advised of the approval or disapproval of the change by letter from MSHA.

(d) If tests are judged necessary, the applicant will be advised of the material that will be required.

[Sched. 6D, 4 FR 4003, Sept. 21, 1939, as amended by Supp. 1, 20 FR 2718, Apr. 23, 1955; 43 FR 12314, Mar. 24, 1978; 52 FR 17514, May 8, 1987; 60 FR 35693, July, 11, 1995; 68 FR 36419, June 17, 2003]

**PART 20—ELECTRIC MINE LAMPS
OTHER THAN STANDARD CAP
LAMPS**

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AUTHORITY: 30 U.S.C. 957, 961.

SOURCE: Schedule 10C, May 17, 1938, as amended at 5 FR 3467, Aug. 30, 1940, unless otherwise noted.

§ 20.0 Compliance with the requirements necessary for obtaining approval.

To receive approval of MSHA for any electric mine lamps other than standard cap lamps a manufacturer must comply with the requirements specified in this part.

§ 20.1 Purpose.

(a) The purpose of the investigations made under this part is to aid in the development and use of electric lamps, other than standard cap lamps, that may be used in mines, especially in mines that may contain dangerous proportions of methane.

(b) This part supersedes Schedule 10B, issued under date of June 1, 1932, and Schedule 11A, issued under date of

January 13, 1936, and goes into effect May 17, 1938.

(c)(1) Electric lamps and flashlights that meet the requirements set forth in this part will be termed "permissible" by MSHA, and if actively marketed will be listed as such in publications relating to permissible equipment, in order that State mine inspection departments, compensation bureaus, mine operators, miners, and others interested in safety equipment for mines may have information in regard to electric lamps and flashlights approved by MSHA.

(2) MSHA May approve electric lamps and flashlights that incorporate technology for which the requirements of this part are not applicable if MSHA determines by testing that the electric lamps or flashlights are as safe as those which meet the requirements of this part.

[Sched. 10C, May 17, 1938, as amended at 5 FR 3467, Aug. 30, 1940; 54 FR 30513, July 20, 1989]

§ 20.2 Definitions.

(a) *Adequate.* Appropriate and sufficient as determined by mutual agreement between the manufacturer and MSHA.

(b) *Approval.* Official notification in writing from MSHA to a responsible organization, stating that upon investigation its lamp has been adjudged satisfactory under the requirements of this part.

(c) *Explosion-proof compartment.* An enclosure that withstands internal explosions of methane-air mixtures without damage to itself or discharge of flame and without ignition of surrounding explosive methane-air mixtures.

(d) *Permissible.* Completely assembled and conforming in every respect with the design formally approved by MSHA under this part. (Approvals under this part are given only to equipment for use in gassy and dusty mines.)

[Sched. 10C, May 17, 1938, as amended by Supp. 1, 20 FR 2718, Apr. 23, 1955]

§ 20.3 Application procedures and requirements.

(a) Before MSHA will undertake the active investigation of any lamp, the applicant shall make application by