

§ 6.30

MSHA will provide equivalency determination reports to the public upon request to the Approval and Certification Center.

(d) After MSHA has determined that non-MSHA product safety standards are equivalent and has notified the public of such determinations, applicants may seek MSHA product approval based on such non-MSHA product safety standards.

§ 6.30 MSHA listing of equivalent non-MSHA product safety standards.

MSHA evaluated the following non-MSHA product safety standards and determined that they provide at least the same degree of protection as current MSHA requirements with or without modifications as indicated:

(a) The International Electrotechnical Commission's (IEC) standards for Electrical Apparatus for Explosive Gas Atmospheres, Part 0, General Requirements (IEC 60079-0, Fourth Edition, 2004-01) and Part 1, Electrical Apparatus for Explosive Gas Atmospheres, Flameproof Enclosures "d" (IEC 60079-1, Fifth Edition, 2003-11) must be modified in order to provide at least the same degree of protection as MSHA explosion-proof enclosure requirements included in parts 7 and 18 of this chapter. Refer to §§ 7.10(c)(1) and 18.6(a)(3)(i) for a list of the required modifications. The IEC standards may be inspected at MSHA's Electrical Safety Division, Approval and Certification Center, R.R. 1, Box 251, Industrial Park Road, Triadelphia, West Virginia 26059 and may be purchased from International Electrical Commission, Central Office 3, rue de Varembe, P.O. Box 131, CH-1211 GENEVA 20, Switzerland.

(b) [Reserved]

[71 FR 28583, May 17, 2006]

PART 7—TESTING BY APPLICANT OR THIRD PARTY

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Sec.

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AUTHORITY: 30 U.S.C. 957.

SOURCE: 53 FR 23500, June 22, 1988, unless otherwise noted.

Subpart A—General

§ 7.1 Purpose and scope.

This part sets out requirements for MSHA approval of certain equipment and materials for use in underground mines whose product testing and evaluation does not involve subjective analysis. These requirements apply to products listed in the subparts following this Subpart A. After the dates specified in the following subparts, requests for approval of products shall be made in accordance with this Subpart A and the applicable subpart.

§ 7.2 Definitions.

The following definitions apply in this part.

Applicant. An individual or organization that manufactures or controls the assembly of a product and that applies to MSHA for approval of that product.

Approval. A document issued by MSHA which states that a product has met the requirements of this part and which authorizes an approval marking identifying the product as approved.

Authorized company official. An individual designated by applicant who has the authority to bind the company.

Critical characteristic. A feature of a product that, if not manufactured as approved, could have a direct adverse effect on safety and for which testing or inspection is required prior to shipment to ensure conformity with the technical requirements under which the approval was issued.

Equivalent non-MSHA product safety standards. A non-MSHA product safety standard, or group of standards, that is determined by MSHA to provide at least the same degree of protection as the applicable MSHA product technical requirements in the subparts of this part, or can be modified to provide at least the same degree of protection as those MSHA requirements.

Extention of approval. A document issued by MSHA which states that the change to a product previously approved by MSHA under this part meets the requirements of this part and which authorizes the continued use of the approval marking after the appropriate extension number has been added.