

**§ 75.1703**

**30 CFR Ch. I (7-1-10 Edition)**

**§ 75.1703 Portable electric lamps.**

[STATUTORY PROVISIONS]

Persons underground shall use only permissible electric lamps approved by the Secretary for portable illumination. No open flame shall be permitted in the underground area of any coal mine, except as permitted under § 75.1106.

**§ 75.1703-1 Permissible lamps.**

Lamps approved by the Bureau of Mines or the Mine Safety and Health Administration under Part 19 or Part 20 of this chapter (Bureau of Mines Schedule 6D and Schedule 10C) are approved lamps for the purposes of § 75.1703.

**§ 75.1707-1 New working section.**

The term "new working section" as used in § 75.1707 means any extension of the belt or trolley haulage system in main, cross, and room entries necessary for the development of the mine on and after March 30, 1970. Room entries being developed as of March 30, 1970, with certified stop line limitations as shown on the mine map and retreating panels shall not be considered as new working sections.

**§ 75.1708 Surface structures, fire-proofing.**

[STATUTORY PROVISIONS]

After March 30, 1970, all structures erected on the surface within 100 feet of any mine opening shall be of fireproof construction. Unless structures existing on or prior to such date which are located within 100 feet of any mine opening are of such construction, fire doors shall be erected at effective points in mine openings to prevent smoke or fire from outside sources endangering miners underground. These doors shall be tested at least monthly to insure effective operation. A record of such tests shall be kept in an area on the surface of the mine chosen by the operator to minimize the danger of destruction by fire or other hazard and shall be available for inspection by interested persons.

**§ 75.1708-1 Surface structures; fire-proof construction.**

Structures of fireproof construction is interpreted to mean structures with fireproof exterior surfaces.

**§ 75.1709 Accumulations of methane and coal dust on surface coal-handling facilities.**

[STATUTORY PROVISIONS]

Adequate measures shall be taken to prevent methane and coal dust from accumulating in excessive concentrations in or on surface coal-handling facilities, but in no event shall methane be permitted to accumulate in concentrations in or on surface coal-handling facilities in excess of limits established for methane by the Secretary on and after March 30, 1971. Where coal is dumped at or near air-intake openings, provisions shall be made to avoid dust from entering the mine.

**§ 75.1710 Canopies or cabs; diesel-powered and electric face equipment.**

In any coal mine where the height of the coalbed permits, an authorized representative of the Secretary may require that diesel-powered and electric face equipment, including shuttle cars, be provided with substantially constructed canopies or cabs to protect the miners operating such equipment from roof falls and from rib and face rolls.

[61 FR 55527, Oct. 25, 1996]

**§ 75.1710-1 Canopies or cabs; self-propelled diesel-powered and electric face equipment; installation requirements.**

(a) Except as provided in paragraph (f) of this section, all self-propelled diesel-powered and electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in paragraphs (a) (1), (2), (3), (4), (5), and (6) of this section, be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib

and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5)(i) On and after January 1, 1976, in coal mines having mining heights of 30 inches or more, but less than 36 inches,

(ii) On and after July 1, 1977, in coal mines having mining heights of 24 inches or more, but less than 30 inches, and

(6) On and after July 1, 1978, in coal mines having mining heights of less than 24 inches.

(b)(1) For purposes of this section, a canopy means a structure which provides overhead protection against falls of roof.

(2) For purposes of this section, a cab means a structure which provides overhead and lateral protection against falls of roof, rib, and face, or rib and face rolls.

(c) In determining whether to install substantially constructed canopies as opposed to substantially constructed cabs, the operator shall consider and take into account the following factors:

(1) The mining method used;

(2) Physical limitations, including but not limited to the dip of the coalbed, and roof, rib, and face conditions;

(3) Previous accident experience, if any, caused by falls of roof, rib, and face, or rib and face rolls;

(4) Overhead protection, such as that afforded by a substantially constructed canopy, against falls of roof will always be required; and

(5) Lateral protection, such as that afforded by a substantially constructed cab, may also be necessary where the occurrence of falls of rib and face, or rib and face rolls is likely.

(d) For purposes of this section, a canopy or cab will be considered to be substantially constructed if a registered engineer certifies that such

canopy or cab has the minimum structural capacity to support elastically:

(1) A dead weight load of 18,000 pounds, or (2) 15 p.s.i. distributed uniformly over the plan view area of the structure, whichever is lesser.

(e) Evidence of the certification required by paragraph (d) of this section shall be furnished by attaching a plate, label, or other appropriate marking to the canopy or cab for which certification has been made, stating that such canopy or cab meets the minimum requirements for structural capacity set forth in paragraph (d) of this section. Written evidence of such certification shall also be retained by the operator, and shall be made available to an authorized representative of the Secretary upon request. Written evidence of certification may consist of the report of the registered engineer who certified the canopy or cab, or of information from the manufacturer of the canopy or cab stating that a registered engineer has certified that the canopy or cab meets the minimum requirements for structural capacity set forth in paragraph (d) of this section.

(f) An operator may apply to the Director of Technical Support, Mine Safety and Health Administration, Department of Labor, 1100 Wilson Blvd., Room 2329, Arlington, Virginia 22209-3939, for approval of the installation of devices to be used in lieu of substantially constructed canopies or cabs on self-propelled diesel-powered and electric face equipment. The Director of Technical Support may approve such devices if he determines that the use thereof will afford the equipment operator no less than the same measure of protection from falls of roof, face, or rib, or from rib and face rolls as would a substantially constructed canopy or cab meeting the requirements of this section.

[37 FR 20690, Oct. 3, 1972, as amended at 41 FR 23200, June 9, 1976; 43 FR 12320, Mar. 24, 1978; 47 FR 28096, June 29, 1982; 61 FR 55527, Oct. 25, 1996; 67 FR 38386, June 4, 2002]

EFFECTIVE DATE NOTE: At 42 FR 34877, July 7, 1977, the dates appearing in paragraphs (a)(5)(ii) and (a)(6) of § 75.1710-1 were suspended indefinitely, effective July 1, 1977.