

**§ 75.338**

**30 CFR Ch. I (7–1–10 Edition)**

within 30 days of completion of quality control tests.

(f) *Welding, cutting, and soldering.* Welding, cutting, and soldering with an arc or flame are prohibited within 150 feet of a seal. An operator may request a different location in the ventilation plan to be approved by the District Manager. The operator’s request must address methods the mine operator will use to continuously monitor atmospheric conditions in the sealed area during welding or burning; the airflow conditions in and around the work area; the rock dust and water application methods; the availability of fire extinguishers on hand; the procedures to maintain safe conditions, and other relevant factors.

(g) *Sampling pipes.* (1) For seals constructed after April 18, 2008, one non-metallic sampling pipe shall be installed in each seal that shall extend into the center of the first connecting crosscut inby the seal. If an open crosscut does not exist, the sampling pipe shall extend one-half of the distance of the open entry inby the seal.

(2) Each sampling pipe shall be equipped with a shut-off valve and appropriate fittings for taking gas samples.

(3) The sampling pipes shall be labeled to indicate the location of the sampling point when more than one sampling pipe is installed through a seal.

(4) If a new seal is constructed to replace or reinforce an existing seal with a sampling pipe, the sampling pipe in the existing seal shall extend through the new seal. An additional sampling pipe shall be installed through each new seal to sample the area between seals, as specified in the approved ventilation plan.

(h) *Water drainage system.* For each set of seals constructed after April 18, 2008, the seal at the lowest elevation shall have a corrosion-resistant, non-metallic water drainage system. Seals shall not impound water or slurry. Water or slurry shall not accumulate within the sealed area to any depth that can adversely affect a seal.

[73 FR 21207, Apr. 18, 2008]

**§ 75.338 Training.**

(a) Certified persons conducting sampling shall be trained in the use of appropriate sampling equipment, procedures, location of sampling points, frequency of sampling, size and condition of the sealed area, and the use of continuous monitoring systems if applicable before they conduct sampling, and annually thereafter. The mine operator shall certify the date of training provided to certified persons and retain each certification for two years.

(b) Miners constructing or repairing seals, designated certified persons, and senior mine management officials shall be trained prior to constructing or repairing a seal and annually thereafter. The training shall address materials and procedures in the approved seal design and ventilation plan. The mine operator shall certify the date of training provided each miner, certified person, and senior mine management official and retain each certification for two years.

[73 FR 21208, Apr. 18, 2008]

**§ 75.339 Seals records.**

(a) The table entitled “Seal Record-keeping Requirements” lists records the operator shall maintain and the retention period for each record.

TABLE—§ 75.339(a) SEAL RECORDKEEPING REQUIREMENTS

Record	Section reference	Retention time
(1) Approved seal design .....	75.335(c)(1) .....	As long as the seal is needed to serve the purpose for which it is built.
(2) Certification of Provisions of Approved Seal Design is Addressed.	75.335(c)(2) .....	As long as the seal is needed to serve the purpose for which it is built.
(3) Gas sampling records .....	75.336(e)(2) .....	1 year.
(4) Record of examinations .....	75.337(c)(5) .....	1 year.
(5) Certification of seal construction, installation, and materials.	75.337(d) .....	As long as the seal is needed to serve the purpose for which it is built.
(6) Certification of Training for Persons that Sample.	75.338(a) .....	2 years.
(7) Certification of Training for Persons that Perform Seal Construction and Repair.	75.338(b) .....	2 years.

(b) Records required by §§75.335, 75.336, 75.337 and 75.338 shall be retained at a surface location at the mine in a secure book that is not susceptible to alteration. The records may be retained electronically in a computer system that is secure and not susceptible to alteration, if the mine operator can immediately access the record from the mine site.

(c) Upon request from an authorized representative of the Secretary of Labor, the Secretary of Health and Human Services, or from the authorized representative of miners, mine operators shall promptly provide access to any record listed in the table in this section.

(d) Whenever an operator ceases to do business or transfers control of the mine to another entity, that operator shall transfer all records required to be maintained by this part, or a copy thereof, to any successor operator who shall maintain them for the required period.

[73 FR 21208, Apr. 18, 2008]

**§ 75.340 Underground electrical installations.**

(a) Underground transformer stations, battery charging stations, substations, rectifiers, and water pumps shall be housed in noncombustible structures or areas or be equipped with a fire suppression system meeting the requirements of §75.1107-3 through §75.1107-16.

(1) When a noncombustible structure or area is used, these installations shall be—

(i) Ventilated with intake air that is coursed into a return air course or to the surface and that is not used to ventilate working places; or

(ii) Ventilated with intake air that is monitored for carbon monoxide or smoke by an AMS installed and operated according to §75.351. Monitoring of intake air ventilating battery charging stations shall be done with sensors not affected by hydrogen; or

(iii) Ventilated with intake air and equipped with sensors to monitor for heat and for carbon monoxide or smoke. Monitoring of intake air ventilating battery charging stations shall be done with sensors not affected by hydrogen. The sensors shall deenergize

power to the installation, activate a visual and audible alarm located outside of and on the intake side of the enclosure, and activate doors that will automatically close when either of the following occurs:

(A) The temperature in the noncombustible structure reaches 165 °F; or

(B) The carbon monoxide concentration reaches 10 parts per million above the ambient level for the area, or the optical density of smoke reaches 0.022 per meter. At least every 31 days, sensors installed to monitor for carbon monoxide shall be calibrated with a known concentration of carbon monoxide and air sufficient to activate the closing door, or each smoke sensor shall be tested to determine that it functions correctly.

(2) When a fire suppression system is used, these installations shall be—

(i) Ventilated with intake air that is coursed into a return air course or to the surface and that is not used to ventilate working places; or

(ii) Ventilated with intake air that is monitored for carbon monoxide or smoke by an AMS installed and operated according to §75.351. Monitoring of intake air ventilating battery charging stations shall be done with sensors not affected by hydrogen.

(b) This section does not apply to—

(1) Rectifiers and power centers with transformers that are either dry-type or contain nonflammable liquid, if they are located at or near the section and are moved as the working section advances or retreats;

(2) Submersible pumps;

(3) Permissible pumps and associated permissible switchgear;

(4) Pumps located on or near the section and that are moved as the working section advances or retreats;

(5) Pumps installed in anthracite mines; and

(6) Small portable pumps.

**§ 75.341 Direct-fired intake air heaters.**

(a) If any system used to heat intake air malfunctions, the heaters affected shall switch off automatically.

(b) Thermal overload devices shall protect the blower motor from overheating.