§ 77.1


SOURCE: 36 FR 9364, May 22, 1971, unless otherwise noted.

Subpart A—General

§ 77.1 Scope.

This part 77 sets forth mandatory safety standards for bituminous, anthracite, and lignite surface coal mines, including open pit and auger mines, and to the surface work areas of underground coal mines, pursuant to section 101(i) of the Federal Mine Safety and Health Act of 1977.


§ 77.2 Definitions.

For the purpose of this part 77, the term:

(a) **Active workings** means any place in a coal mine where miners are normally required to work or travel;

(b) **American Table of Distances** means the current edition of “The American Table of Distances for Storage of Explosives” published by the Institute of Makers of Explosives;

(c) **Barricaded** means to obstruct passage of persons, vehicles, or flying materials;

(d) **Berm** means a pile or mound of material capable of restraining a vehicle;

(e) **Blasting agent** means any material consisting of a mixture of a fuel and oxidizer which—

   (1) Is used or intended for use in blasting;

   (2) Is not classed as an explosive by the Department of Transportation;

   (3) Contains no ingredient classed as an explosive by the Department of Transportation; and,

   (4) Cannot be detonated by a No. 8 blasting cap when tested as recommended in Bureau of Mines Information Circular 8179.

(f) **Blasting area** means the area near blasting operations in which concussion or flying material can reasonably be expected to cause injury.

(g) **Blasting cap** means a detonator containing a charge of detonating compound, which is ignited by electric current, or the spark of a fuse. Used for detonating explosives.

(h) **Blasting circuit** means electric circuits used to fire electric detonators or to ignite an igniter cord by means of an electric starter.

(i) **Blasting switch** means a switch used to connect a power source to a blasting circuit.

(j) **Box-type magazine** means a small, portable magazine used to store limited quantities of explosives or detonators for short periods of time in locations at the mine which are convenient to the blasting sites at which they will be used.

(k) **Capped fuse** means a length of safety fuse to which a detonator has been attached.

(l) **Capped primer** means a package or cartridge of explosives which is specifically designed to transmit detonation to other explosives and which contains a detonator.

(m) **Certified or registered**, as applied to any person means a person certified or registered by the State in which the coal mine is located to perform duties prescribed by this Part 77, except that, in a State where no program of certification or registration is provided or where the program does not meet at least minimum Federal standards established by the Secretary, such certification or registration shall be by the Secretary.

(n) **Detonating cord or detonating fuse** means a flexible cord containing a core of high explosive.

(o) **Detonator** means a device containing a small detonating charge that is used for detonating an explosive, including, but not limited to blasting caps, exploders, electric detonators, and delay electric blasting caps.

(p) **Electrical grounding** means to connect with the ground to make the earth part of the circuit.

(q) **Explosive** means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. Explosives include, but are not limited to black powder, dynamite, nitroglycerin, fulminate, ammonium nitrate when mixed with a hydrocarbon, and other blasting agents.

(r) **Flash point** means the minimum temperature at which sufficient vapor is released by a liquid or solid to form...
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§ 77.100 Certified person.

(a) (1) The provisions of this Part 77 require that certain examinations and tests be made by a certified person. A certified person within the meaning of these provisions is a person who has been certified in accordance with the provisions of paragraph (b) of this § 77.100 to perform the duties, and make the examinations and tests which are required by this Part 77 to be performed by a certified person.

(2) A person who has been so certified shall also be considered to be a qualified person within the meaning of those provisions of this Part 77 which require that certain examinations, tests and duties be performed by a qualified person, except those provisions in Subparts F, G, H, I, and J of this part relating to performance of electrical work.

(b) Pending issuance of Federal standards, a person will be considered, to the extent of the certification, a certified person to make examinations, tests and perform duties which are required by this Part 77 to be performed by a certified person:

(1) If he has been certified for such purpose by the State in which the coal mine is located; or

(2) If this person has been certified for such purpose by the Secretary. A person’s initial certification is valid for as long as the person continues to satisfy the requirements necessary to obtain the certification and is employed at the same coal mine or by the same independent contractor. The mine operator or independent contractor shall make an application which satisfactorily shows that each such person has had at least 2 years experience at a coal mine or equivalent experience, and that each such person demonstrates to the satisfaction of an authorized representative of the Secretary that such person is able and competent to test for oxygen deficiency with a permissible flame safety lamp, or any other device approved by the Secretary and to test for methane with a portable methane detector approved by the Bureau of Mines, MESAs, or MSHA, under Part 22 of this Chapter (Bureau of Mines Schedule 8C), and to perform such other duties for which application for certification is made. Applications for certification by the Secretary should be submitted in writing.