Mine Safety and Health Admin., Labor

§ 27.11 Extension of certification.

If an applicant desires to change any feature of a certified system or component, he shall first obtain MSHA’s approval of the change, pursuant to the following procedure:

(a)(1) Application shall be made as for an original certification, requesting that the existing certification be extended to cover the proposed changes. The application shall include complete drawings, specifications, and related data, showing the changes in detail.

(2) Where the applicant for approval has used an independent laboratory under part 6 of this chapter to perform, in whole or in part, the necessary testing and evaluation for approval of other items may be tested. However, if the cause of failure is corrected, testing will be resumed after completing such other test work as may be in progress.

[31 FR 10607, Aug. 9, 1966, as amended at 70 FR 46343, Aug. 9, 2005]

§ 27.10 Conduct of investigations, tests, and demonstrations.

MSHA shall hold as confidential and shall not disclose principles or patentable features, nor shall it disclose any details of drawings, specifications, or related materials. The conduct of all investigations, tests, and demonstrations shall be under the direction and control of MSHA, and any other persons shall be present only as observers, except as noted in paragraph (b) of this section.

(a) Prior to the issuance of a letter of certification, necessary Government personnel, representatives of the applicant, and such other persons as are mutually agreed upon may observe the investigations or test.

(b) When requested by MSHA the applicant shall provide assistance in assembling or disassembling components, subassemblies, or assemblies for testing, preparing components, subassemblies, or assemblies for testing, and operating the system during the tests.

(c) After the issuance of a letter of certification, MSHA may conduct such public demonstrations and tests of the certified methane-monitoring system or components as it deems appropriate.


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(2) Where the applicant for approval has used an independent laboratory under part 6 of this chapter to perform, in whole or in part, the necessary testing and evaluation for approval of other items may be tested. However, if the cause of failure is corrected, testing will be resumed after completing such other test work as may be in progress.

[31 FR 10607, Aug. 9, 1966, as amended at 70 FR 46343, Aug. 9, 2005]
§ 27.12 Withdrawal of certification.

MSHA reserves the right to rescind for cause any certification issued under this part.

Subpart B—Construction and Design Requirements

§ 27.20 Quality of material, workmanship, and design.

(a) MSHA will test only equipment that, in its opinion, is constructed of suitable materials, is of good workmanship, is based on sound engineering principles, and is safe for its intended use. Since all possible designs, arrangements, or combinations of components cannot be foreseen, MSHA reserves the right to modify the construction and design requirements of components or subassemblies and the tests to obtain the degree of protection intended by the tests described in Subpart C of this part.

(b) Unless otherwise noted, the requirements stated in this part shall apply to explosion-proof enclosures and intrinsically safe circuits.

(c) All components, subassemblies, and assemblies shall be designed and constructed in a manner that will not create an explosion or fire hazard.

(d) All assemblies or enclosures—explosion-proof or intrinsically safe—shall be so designed that the temperatures of the external surfaces, during continuous operation, do not exceed 150 °C (302 °F) at any point.

(e) Lenses or globes shall be protected against damage by guards or by location.

(f) If MSHA determines that an explosion hazard can be created by breakage of a bulb having an incandescent filament, the bulb mounting shall be so constructed that the bulb will be ejected if the bulb glass enclosing the filament is broken.

NOTE: Other methods that provide equivalent protection against explosion hazards from incandescent filaments may be considered satisfactory at the discretion of MSHA.

§ 27.21 Methane-monitoring system.

(a) A methane-monitoring system shall be so designed that any machine or equipment, which is controlled by the system, cannot be operated unless the electrical components of the methane-monitoring system are functioning normally.

(b) A methane-monitoring system shall be rugged in construction so that its operation will not be affected by vibration or physical shock, such as normally encountered in mining operations.

(c) Insulating materials that give off flammable or explosive gases when decomposed shall not be used within enclosures where they might be subjected to destructive electrical action.

(d) An enclosure shall be equipped with a lock, seal, or acceptable equivalent when MSHA deems such protection necessary for safety.

(e) A component or subassembly of a methane-monitoring system shall be