§ 75.1712-8 Application for waiver of location requirements for underground sanitary facilities.

Applications for waivers of the location requirements of § 75.1712-6 shall be filed with the Coal Mine Safety District Manager and shall contain the following information:

(a) The name and address of the mine operator;
(b) The name and location of the mine;
(c) The thickness of the coal seam in each working place in the mine for which a waiver is requested; and
(d) Other physical restrictions in the mine (for example, poor roof conditions, excessive water, timbering, etc.).

If a sanitary toilet cannot be installed within 500 feet of a working place because of physical conditions other than the thickness of the coal seam, the operator shall also include a short statement specifying areas in the mine which could be considered possible alternative sites for installation of such facilities.

§ 75.1712-9 Issuance of waivers.

Following the receipt of an application submitted in accordance with the provisions of § 75.1712-8, the Coal Mine Safety District Manager shall, if he determines that the operator cannot meet the location requirements of § 75.1712-6 with respect to any or all of the working places in the mine because of the coal seam thickness or because of other physical restriction, issue a waiver of the requirements of this section and designate an alternative site for installation of such facilities. The waiver issued shall specify each working place to which it shall apply, set forth the reasons for such waiver, and the reasons for designation of the alternative site.