

§ 14.5

(g) *Fees.* Fees calculated in accordance with Part 5 of this chapter must be submitted in accordance with § 5.40.

§ 14.5 Test samples.

Upon request by MSHA, the applicant must submit 3 precut, unrolled, flat conveyor belt samples for flame testing. Each sample must be 60 \pm ¼ inches long (152.4 \pm 0.6 cm) by 9 \pm ½ inches (22.9 \pm 0.3 cm) wide.

§ 14.6 Issuance of approval.

(a) MSHA will issue an approval or notice of the reasons for denying approval after completing the evaluation and testing provided in this part.

(b) An applicant must not advertise or otherwise represent a conveyor belt as approved until MSHA has issued an approval.

§ 14.7 Approval marking and distribution records.

(a) An approved conveyor belt must be marketed only under the name specified in the approval.

(b) Approved conveyor belt must be legibly and permanently marked with the assigned MSHA approval number for the service life of the product. The approval marking must be at least ½ inch (1.27 cm) high, placed at intervals not to exceed 60 feet (18.3 m) and repeated at least once every foot (0.3 m) across the width of the belt.

(c) Where the construction of a conveyor belt does not permit marking as prescribed above, other permanent marking may be accepted by MSHA.

(d) Applicants granted approval must maintain records of the initial sale of each belt having an approval marking. The records must be retained for at least 5 years following the initial sale.

§ 14.8 Quality assurance.

Applicants granted an approval or an extension of approval under this Part must:

(a) In order to assure that the finished conveyor belt will meet the flame-resistance test—

(1) Flame test a sample of each batch, lot, or slab of conveyor belts; or

(2) Flame test or inspect a sample of each batch or lot of the materials that contribute to the flame-resistance characteristic.

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(b) Calibrate instruments used for the inspection and testing in paragraph (a) of this section according to the instrument manufacturer's specifications. Instruments must be calibrated using standards set by the National Institute of Standards and Technology, U.S. Department of Commerce or other nationally or internationally recognized standards. The instruments used must be accurate to at least one significant figure beyond the desired accuracy.

(c) Control production so that the conveyor belt is manufactured in accordance with the approval document. If a third party is assembling or manufacturing all or part of an approved belt, the approval holder shall assure that the product is manufactured as approved.

(d) Immediately notify the MSHA Approval and Certification Center of any information that a conveyor belt has been distributed that does not meet the specifications of the approval. This notification must include a description of the nature and extent of the problem, the locations where the conveyor belt has been distributed, and the approval holder's plans for corrective action.

§ 14.9 Disclosure of information.

(a) All proprietary information concerning product specifications and performance submitted to MSHA by the applicant will be protected.

(b) MSHA will notify the applicant or approval holder of requests for disclosure of information concerning its conveyor belts, and provide an opportunity to present its position prior to any decision on disclosure.

§ 14.10 Post-approval product audit.

(a) Approved conveyor belts will be subject to periodic audits by MSHA to determine conformity with the technical requirements upon which the approval was based. MSHA will select an approved conveyor belt to be audited; the selected belt will be representative of that distributed for use in mines. Upon request to MSHA, the approval holder may obtain any final report resulting from the audit.

(b) No more than once a year, except for cause, the approval holder, at