

**Executive Summary**  
**Final Rulemaking**  
**Chapter 208 Underground Coal Mine Safety**  
**Standards for Surface Facilities**  
**25 Pa. Code Chapter 208**

**Purpose of the Rulemaking**

Currently in Pennsylvania, safety practices and procedures at the surface areas of underground bituminous coal mines are mainly implemented pursuant to federal Mine Safety and Health Administration (MSHA) regulations. As such, there is no state basis for enforcing many of the safety practices and procedures with which underground bituminous coal mining companies must comply. This final rulemaking addresses this gap in the state regulatory scheme and implements many of the federal regulations in 30 CFR Part 77, thereby making those federal regulations independently enforceable by the Commonwealth.

More specifically, this final rulemaking implements existing federal regulations relative to surface installations, thermal dryers, safeguards for mechanical equipment, electrical equipment, trailing cables, grounding, surface high-voltage distribution, low- and medium-voltage alternating currents, ground control, fire protection, maps, personnel hoisting, wire ropes, trolley wires and trolley feeder wires, and slope and shaft sinking. These rules and standards ensure that the surface areas of underground bituminous coal mines are safely operated and maintained in order to reduce the risk of accidents, injuries, and property loss. Such regulations benefit persons in and about mine sites and mine operators.

**Summary of Final Rulemaking**

By this final rulemaking, the Board of Coal Mine Safety (Board) adds regulatory provisions to Chapter 208. These additions include §§ 208.101 – 208.412 (relating to Standards for surface facilities) as well as the definitions of “Barricaded,” “Berm,” “Certified or registered,” “Flash point,” “Qualified person,” “Roll protection,” “Safety can,” and “Trailing cable” to read as set forth in Annex A. This final rulemaking implements existing federal regulations, thereby making them independently enforceable by the Commonwealth.

**Affected Parties**

There are nine operators of underground bituminous coal mines in Pennsylvania that will be subject to this final rulemaking, and three of those operators are small businesses. However, the rulemaking is not expected to affect the nine operators because the rulemaking only implements existing federal regulations with which the operators must already comply.

**Advisory Groups**

The development and drafting of this rulemaking was aided by input from the Board which received recommendations and advice on the rulemaking from its constituents. The Board is chaired by the Secretary of the Department of Environmental Protection and consists of three members representing the interests of mine workers and three members representing the interests of underground bituminous coal mine operators.