

Annex A

(Editor's Note: The following text is new and is printed in regular type to enhance readability.)

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE IV. OCCUPATIONAL HEALTH AND SAFETY

CHAPTER 208 UNDERGROUND COAL MINE SAFETY

GENERAL PROVISIONS

§ 208.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The Bituminous Coal Mine Safety Act (52 P.S. §§ 690-101 – 690-708).

Approval or approved—The term as defined in section 104 of the act (52 P.S. § 690-104).

MSHA—The term as defined in section 104 of the act.

Miner—The term as defined in section 104 of the act.

NIOSH—The term as defined in section 104 of the act.

Operator—The term as defined in section 104 of the act.

Overpressure—The highest pressure over the background atmospheric pressure that could result from an explosion, which includes the impact of the pressure wave on an object. [See 30 CFR 7.502 (relating to definitions).]

psi—Pounds per square inch.

Representative of the miners—The term as defined in section 104 of the act.

SCSR—Self-contained self-rescue device—A type of closed-circuit, self-contained breathing apparatus approved by MSHA and NIOSH pursuant to 42 CFR Part 84 (relating to approval of respiratory protective device) for escape only from underground mines.

Underground bituminous coal mine or mine—The term as defined in section 104 of the act.

§ 208.2. Scope.

The safety standards and procedures in this chapter apply to all underground bituminous coal mines, operators and miners subject to the act.

§ 208.3. Access to material.

Upon request from the Department, or as required by this chapter, an operator shall submit to the Department a copy of any application, report, plan or other material submitted to MSHA pursuant to a regulation adopted by reference in this chapter. Upon request from the authorized representative of **THE** miners, the Department will provide **TO THE REPRESENTATIVE OF THE MINERS** copies of an application, report, plan or other material submitted **BY AN OPERATOR** to MSHA pursuant to a regulation adopted by reference in this chapter.

SEALS

§ 208.11. Seals.

(a) *Minimum seal strength.* **AFTER (Insert date of publication as final rulemaking),** ~~M~~mine operators shall design, construct, and maintain seals to withstand an overpressure of at least 120 psi.

(b) *Seal strengths and installation.* The provisions of 30 CFR 75.335 (a)(2) and (c) (relating to seal strengths, design applications, and installation) are incorporated by reference.

(c) *Seal Strength greater than 120 psi.* The provisions of 30 CFR 75.335(a)(3) shall be used for determining when the strength of a seal shall exceed 120 psi.

(d) *Seal installation approval.* The operator shall submit an application to install the MSHA-approved seal design to the Department for its review and approval. An approved application to install the seal shall be made part of the abandoned area ventilation plan required by section 235 of the act (52 P.S. § 690-235) regarding unused and abandoned parts of mines and follow 30 CFR 75.335(c).

(1) The operator shall provide the representative of the miners, if applicable, the approved seal design installation application at the same time the operator submits the application to the Department.

(2) Any individual installing the seal shall do so in accordance with the approved abandoned area ventilation plan.

§ 208.12. Sampling and monitoring requirements.

The provisions of 30 CFR 75.336 (relating to sampling and monitoring requirements) are incorporated by reference.

§ 208.13. Construction and repair of seals.

(a) *General.* The provisions of 30 CFR § 75.337 (relating to construction and repair of seals) are incorporated by reference.

(b) *Welding, cutting, and soldering.* No individual shall perform any welding, cutting or soldering with an arc or flame within 150 feet of a seal unless otherwise approved by the Department.

(1) The operator shall submit to the Department and the representative of the miners, if applicable, an application containing the same information submitted to MSHA under 30 CFR 75.337(f).

(2) Any welding, cutting or soldering within 150 feet of a seal shall be performed in accordance with the application approved by the Department and made part of the abandoned area ventilation plan required under section 235 of the act (52 P.S. § 690-235), regarding unused and abandoned parts of mines.

§ 208.14. Training.

The provisions of 30 CFR 75.338 (relating to training) are incorporated by reference.

§ 208.15. Seals records.

(a) *General.* The provisions of 30 CFR 75.339 (relating to seals records) are incorporated by reference.

(b) *Access to records.* Upon request from the Department, or from the authorized representative of the miners, mine operators shall provide access to any record required by this section.

ESCAPEWAYS

§ 208.21. Escapeways.

(a) *Bituminous and lignite mines.* The provisions of 30 CFR 75.380 (relating to escapeways; bituminous and lignite mines) are incorporated by reference except that the language in 30 CFR 75.380(c) allowing the two escapeways to end in one multiple compartment shaft or slope separated by walls is not incorporated by reference.

(b) *Mechanical and escape facilities.* The provisions of 30 CFR 75.382 (relating to mechanical escape facilities) are incorporated by reference.

(c) *Longwall and shortwall travelways.* The provisions of 30 CFR 75.384 (relating to longwall and shortwall travelways) are incorporated by reference. If a roof fall or other blockage occurs that prevents travel in the travelway, the mine operator shall notify the department.

BELTS

§ 208.31. Approval of conveyor belts.

The provisions of 30 CFR 75.1108(b) and (c) (relating to approved conveyor belts) are incorporated by reference.

§ 208.32. Maintenance of belt conveyors and belt conveyor entries.

(a) *Maintenance standards.* The provisions of 30 CFR 75.1731 (relating to maintenance of belt conveyors and belt conveyor entries) are incorporated by reference.

(b) *Inspections.* Individuals conducting inspections of belt conveyors required under sections 218 and 218.1 of the act (52 P.S. §§ 690-218 and 690-218.1) regarding preshift examination at fixed intervals and supplemental inspection shall address compliance with this section's maintenance requirements.

EMERGENCIES

§ 208.41. Emergency evacuation.

(a) *Emergency evacuation.* The provisions of 30 CFR 75.1501 (relating to emergency evacuations) are incorporated by reference.

(b) *Individual located on the surface.* An individual designated by the mine operator ~~to take charge during mine emergencies and trained to the same extent in emergency procedures as the responsible person shall be located on the surface during all shifts.~~ **WHO IS ADEQUATELY TRAINED AND IS CAPABLE OF INITIATING THE EMERGENCY RESPONSE PLAN SHALL BE LOCATED ON THE SURFACE IN THE EVENT THE DESIGNATED RESPONSIBLE PERSON IS NOT AVAILABLE.**

§ 208.42. Emergency evacuation and firefighting program of instruction.

The provisions of 30 CFR 75.1502 (relating to mine emergency evacuation and firefighting program of instruction) are incorporated by reference.

§ 208.43. Use of fire suppression equipment.

The provisions of 30 CFR 75.1503 (relating to use of fire suppression equipment) are incorporated by reference.

§ 208.44. Mine emergency evacuation training and drills.

The provisions of 30 CFR 75.1504 (relating to mine emergency evacuation training and drills) are incorporated by reference.

§ 208.45. Escapeway maps.

The provisions of 30 CFR 75.1505 (relating to escapeway maps) are incorporated by reference.

§ 208.46. Refuge alternatives.

The provisions of 30 CFR 75.1506 (relating to refuge alternatives) are incorporated by reference.

§ 208.47. Emergency response plan; refuge alternatives.

The provisions of 30 CFR 75.1507 (relating to emergency response plan; refuge alternatives) are incorporated by reference.

§ 208.48. Training and records for examination, maintenance and repair of refuge alternatives and components.

The provisions of 30 CFR 75.1508 (relating to training and records for examination, maintenance and repair of refuge alternatives and components) are incorporated by reference.

COMMUNICATIONS

§ 208.51. Communications facilities for refuge alternatives.

The provisions of 30 CFR 75.1600-3 (relating to communications facilities; refuge alternatives) are incorporated by reference.

SELF-CONTAINED SELF-RESCUE DEVICES

§ 208.61. Availability of approved self-contained self-rescue devices; instruction in use and location.

The provisions of 30 CFR 75.1714 (relating to availability of approved self-rescue devices; instruction in use and location) are incorporated by reference.

§ 208.62. Approved self-contained self-rescue devices.

The provisions of 30 CFR 75.1714-1 (relating to approved self-rescue devices) are incorporated by reference.

§ 208.63. Self-contained self-rescue devices; use and location requirements.

The provisions of 30 CFR 75.1714-2 (relating to self-rescue devices; use and location requirements) are incorporated by reference.

§ 208.64. Self-contained self-rescue devices; inspection, testing, maintenance, repair, and recordkeeping.

The provisions of 30 CFR 75.1714-3 (relating to self-contained self-rescue devices; inspection, testing, maintenance, repair, and recordkeeping) are incorporated by reference.

§ 208.65. Additional self-contained self-rescue devices.

The provisions of 30 CFR 75.1714-4 (relating to additional self-contained self-rescuers (SCSRs)) are incorporated by reference.

§ 208.66. Map locations.

The provisions of 30 CFR 75.1714-5 (relating to map locations of self-contained self-rescuers (SCSR)) are incorporated by reference.

§ 208.67. Emergency tethers.

The provisions of 30 CFR 75.1714-6 (relating to emergency tethers) are incorporated by reference.

§ 208.68. Multi-gas detectors.

The provisions of 30 CFR 75.1714-7 (relating to multi-gas detectors) are incorporated by reference.

§ 208.69. Reporting SCSR inventory, malfunctions and retention.

The provisions of 30 CFR 75.1714-8 (relating to reporting self-contained self-rescuer inventory, malfunctions, and retention of SCSR) are incorporated by reference.