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Authority

The provisions of this Chapter 208 issued under sections 106, 106.1 and 106.2 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106, 690-106.1 and 690-106.2); and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20), unless otherwise noted.

Source

The provisions of this Chapter 208 adopted October 7, 2011, effective October 8, 2011, 41 Pa.B. 5360, unless otherwise noted.

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:

AED—Automated external defibrillator—A portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest.


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 pressure over the background atmospheric pressure that could result from an explosion, which includes the impact of the pressure wave on an object.

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 under 42 CFR Part 84 (relating to approval of respiratory protective devices) for escape only from underground mines.

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

Source
The provisions of this § 208.1 amended December 7, 2012, effective March 1, 2013, 42 Pa.B. 7414. Immediately preceding text appears at serial page (358642).

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

(b) 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.

(c) Seal installation approval. The operator shall submit an application to install the MSHA-approved seal design to the Department for its review and approval concerning seal installation. An approved application to install the seal shall be made part of the abandoned area ventilation plan required under section

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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. The operator shall submit to the Department and the representative of the miners the same information submitted to MSHA under 30 CFR 75.337(f). Any welding, cutting or soldering within 150 feet of a seal shall be performed in accordance with the MSHA approval.

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.
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 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.

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-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 SCSR inventory and malfunctions; retention of SCSR) are incorporated by reference.

AUTOMATED EXTERNAL DEFIBRILLATORS

§ 208.70. Automated external defibrillators.
(a) Location. A mine operator, in consultation with emergency medical technicians, shall provide for use in an emergency one AED at the following locations:

(1) At a location on the surface in close proximity to the mine entry at the same location where the first aid equipment is stored.
(2) At a point in each working section not more than 1,000 feet outby the active working face or faces at the same location where the first aid equipment is stored.

(b) Training.

(1) Emergency medical technicians and emergency medical technician paramedics at the mine shall complete training in the use of an AED. The mine operator may include the required AED training in its continuing education plan for emergency medical personnel. Training in the use of the AED for emergency medical technicians and emergency medical technician paramedics shall be provided in accordance with the standards of the American Heart Association, the American National Red Cross or through an equivalent course of instruction approved by the Department of Health.
(2) Mine personnel, other than emergency medical technicians and emergency medical technician paramedics, shall receive yearly training in the opera-
tion of the AED. Training may be provided as part of the annual refresher training provided under 30 CFR 48.8(c) (relating to annual refresher training of miners; minimum courses of instruction; hours of instruction).

(c) Maintenance and inspection. AEDs shall be maintained and inspected according to manufacturer’s operational guidelines.

(d) Good Samaritans. Section 8331.2 of 42 Pa.C.S. (relating to Good Samaritan civil immunity for use of automated external defibrillator) applies to miners who render care with an AED.

Source
The provisions of this § 208.70 adopted December 7, 2012, effective March 1, 2013, 42 Pa.B. 7414.

COMBUSTIBLE MATERIALS AND ROCK DUSTING

§ 208.71. Maintenance of incombustible content of rock dust.

(a) Where rock dust is required to be applied, it shall be distributed upon the top, floor and sides of the underground areas of a coal mine and maintained in quantities so that the incombustible content of the combined coal dust, rock dust and other dust is not less than 80%.

(b) Where methane is present in a ventilating current, the percent of incombustible content of the combined dust as required under subsection (a) shall be increased 0.4% for each 0.1% of methane.

(c) Moisture in the combined coal dust, rock dust and other dusts shall be considered as a part of the incombustible content of the mixture.

Source
The provisions of this § 208.71 adopted December 13, 2013, effective December 14, 2013, 43 Pa.B. 7275.

HIGH-VOLTAGE CONTINUOUS MINING MACHINE STANDARDS FOR UNDERGROUND COAL MINES

§ 208.81. Scope.

The provisions of 30 CFR 75.823 (relating to scope) are incorporated by reference.

Authority
The provisions of this § 208.81 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source
§ 208.82. Electrical protection.
The provisions of 30 CFR 75.824 (relating to electrical protection) are incorporated by reference.

Authority
The provisions of this § 208.82 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.83. Power centers.
The provisions of 30 CFR 75.825 (relating to power centers) are incorporated by reference.

Authority
The provisions of this § 208.83 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.84. High-voltage trailing cables.
The provisions of 30 CFR 75.826 (relating to high-voltage trailing cables) are incorporated by reference.

Authority
The provisions of this § 208.84 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source
The provisions of this § 208.84 adopted June 27, 2014, effective June 28, 2014, 44 Pa.B. 3962.

§ 208.85. Guarding of trailing cables.
The provisions of 30 CFR 75.827 (relating to guarding of trailing cables) are incorporated by reference.

Authority
The provisions of this § 208.85 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source
§ 208.86. Trailing cable pulling.
The provisions of 30 CFR 75.828 (relating to trailing cable pulling) are incorporated by reference.

Authority
The provisions of this § 208.86 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.87. Tramming continuous mining machines in and out of the mine and from section to section.
The provisions of 30 CFR 75.829 (relating to tramming continuous mining machines in and out of the mine and from section to section) are incorporated by reference.

Authority
The provisions of this § 208.87 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.88. Splicing and repair of trailing cables.
(a) Incorporation by reference. The provisions of 30 CFR 75.830(a) (relating to splicing and repair of trailing cables) are incorporated by reference.

(b) Splicing limitations.
(1) Splicing of the high-voltage trailing cable within 50 feet of the continuous mining machine is prohibited.
(2) The provisions of 30 CFR 75.830(b)(2) are incorporated by reference.

Authority
The provisions of this § 208.88 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.89. Electrical work; troubleshooting and testing.
The provisions of 30 CFR 75.831 (relating to electrical work; troubleshooting and testing) are incorporated by reference.
Authority
The provisions of this § 208.89 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.90. Frequency of examinations; recordkeeping.
The provisions of 30 CFR 75.832 (relating to frequency of examinations; recordkeeping) are incorporated by reference.

Authority
The provisions of this § 208.90 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.91. Handling high-voltage trailing cables.
The provisions of 30 CFR 75.833 (relating to handling high-voltage trailing cables) are incorporated by reference.

Authority
The provisions of this § 208.91 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.92. Training.
The provisions of 30 CFR 75.834 (relating to training) are incorporated by reference.

Authority
The provisions of this § 208.92 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source

§ 208.93. Installation of electric equipment and conductors; permissibility.
The provisions of 30 CFR 75.1002 (relating to installation of electric equipment and conductors; permissibility) are incorporated by reference.

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Authority

The provisions of this § 208.93 issued under sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (52 P. S. §§ 690-106 and 690-106.1).

Source