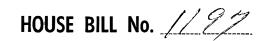
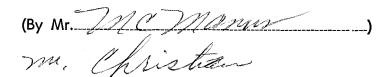
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

ENROLLED







In Effect Annaly day Julan Passage

C 641

FILED IN THE OFFICE EDGAR F. HEISKELL III SECRETARY OF STATE THIS DATE, 5/3/73

191

ENROLLED House Bill No. 1197

(By Mr. Speaker, Mr. McManus, and Mr. Christian)

[Passed April 14, 1973; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article one, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to definitions used in the mine safety law; certified mine electricians with prior experience exempt from examination.

Be it enacted by the Legislature of West Virginia:

That section one, article one, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. ADMINISTRATION; ENFORCEMENT.

§22-1-1. Definitions.

- 1 Unless the context in which used clearly requires a different
- 2 meaning, the following definitions shall apply to articles one and two of this charter
- 3 and two of this chapter:
- 4 Mine: The term "mine" includes the shafts, slopes, drifts or 5 inclines connected with excavations penetrating coal seams or
- 6 strata, which excavations are ventilated by one general air cur-
- 7 rent or divisions thereof, and connected by one general sy-
- 8 stem of mine haulage over which coal may be delivered to one
- 9 or more points outside the mine, and the surface structures or
- 10 equipment connected therewith which contribute directly or
- 11 indirectly to the mining, preparation or handling of coal.
- 12 Agent: The term "agent" means any person charged with

Enr. H. B. No. 1197]

responsibility for the operation of all or a part of a mine orthe supervision of the miners in a mine.

15 Imminent danger: The term "imminent danger" means the
existence of any condition or practice in a coal mine which
could reasonably be expected to cause death or serious physical harm before such condition or practice can be abated.

19 Department: The term "department" shall mean the state 20 department of mines provided for in section two of this article.

Director of the department of mines: The term "director of the department of mines" shall mean the director of the department of mines provided for in section three of this article, and is synonymous with the term "chief of the department of mines."

26 Mine inspector: The term "mine inspector" shall mean a 27 state mine inspector provided for in section seven of this article.

28 Mine inspectors' examining board: The term "mine inspec29 tors' examining board" shall mean the mine inspectors' exam30 ing board provided for in section twelve of this article.

Operator: The term "operator" shall mean any firm, corporation, partnership or individual operating any coal mine or
part thereof.

Person: The term "person" shall mean any individual,
partnership, association, corporation, firm, subsidiary of a
corporation or other organization.

37 Miner: The term "miner" shall mean any individual working38 in a coal mine.

Work of preparing the coal: The term "work of preparing
the coal" shall mean the breaking, crushing, sizing, cleaning,
washing, drying, mixing, storing and loading of bituminous
coal or lignite, and such other work of preparing such coal
as is usually done by the operator of the coal mine.

44 Accident: The term "accident" shall mean any mine ex-45 plosion, mine ignition, mine fire, or mine inundation, or injury 46 to, or death of any person.

47 Abandoned workings: The term "abandoned workings"
48 shall mean excavation, either caved or sealed, that is deserted
49 and in which further mining is not intended, or open workings
50 which are ventilated and not inspected regularly.

51 Excavations and workings: The term "excavations and 52 workings" shall mean any or all parts of a mine excavated or

2

53 being excavated, including shafts, slopes, drifts, tunnels, 54 entries, rooms and working places, whether abandoned or 55 in use.

56 Shaft: The term "shaft" shall mean a vertical opening 57 through the strata that is or may be used for the purpose of 58 ventilation, drainage, and the hoisting and transportation of 59 men and material, in connection with the mining of coal.

60 Slope: The term "slope" shall mean a plane or incline 61 roadway, usually driven to a coal seam from the surface and 62 used for the same purposes as a shaft.

Drift: The term "drift" shall mean a horizontal or approximately horizontal opening through the strata or in a coal
seam and used for the same purposes as a shaft.

66 Panel: The term "panel" shall mean workings that are or 67 have been developed off of submain entries which do not 68 exceed three thousand feet in length.

Active workings: The term "active workings" shall mean allplaces in a mine that are ventilated and inspected regularly.

Inactive workings: The term "inactive workings" shall include all portions of a mine in which operations have been
suspended for an indefinite period, but have not been abandoned.

Superintendent: The term "superintendent" shall mean the
person who shall have, on behalf of the operator, immediate
supervision of one or more mines.

Mine foreman: The term "mine foreman" shall mean the
certified person whom the operator or superintendent shall
place in charge of the inside workings of the mine and of the
persons employed therein.

Supervisor: The term "supervisor" shall mean a superintendent, mine foreman, assistant mine foreman, or any person
specifically designated by the superintendent or mine foreman
to supervise work or employees and who is acting pursuant to
such specific designation and instructions.

Assistant mine foreman: The term "assistant mine foreman"
shall mean a certified person designated to assist the mine foreman in the supervision of a portion or the whole of a mine or
of the persons employed therein.

91 Shot firer: The term "shot firer" shall mean any person hav-92 ing had at least two years of practical experience in coal mines,

93 who has a knowledge of ventilation, mine roof and timbering, 94 and who has demonstrated his knowledge of mine gases, the 95 use of a flame safety lamp, and other approved detecting de-96 vices by examination and certification given him by the depart-97 ment of mines. 98 Qualified person: The term "qualified person" shall mean a 99 person who has completed an examination and is considered 100 qualified on record by the department of mines. 101 Interested persons: The term "interested persons" shall include the operator, members of any mine safety committee at 102 103 the mine affected and other duly authorized representative of 104 the mine workers and department of mines. 105 Return air: The term "return air" shall mean a volume of 106 air that has passed through and ventilated all the working places 107 in a mine section. 108 Mechanical working section: The term "mechanical working 109 section" shall mean an area of a mine (1) in which coal is 110 loaded mechanically, (2) which is comprised of a number of 111 working places that are generally contiguous, and (3) which is 112 of such size to permit necessary supervision during shift opera-113 tion, including preshift and on-shift examinations and tests 114 required by law. 115 Working section: The term "working section" shall mean all 116 areas of the coal mine from the loading point of the section to 117 and including the working faces. 118 Working face: The term "working face" shall mean any 119 place in a coal mine in which work of extracting coal from its 120 natural deposit in the earth is performed during the mining 121 cycle. 122 Working place: The term "working place" shall mean the 123 area of a coal mine inby the last open crosscut. 124 Working unit: The term "working unit" shall mean an area 125 of a mine in which coal is mined with a set of production 126 equipment; a conventional mining unit by a single loading 127 machine; a continuous mining unit by a single continuous mining machine, which is comprised of a number of working 128 129 places. 130 Face equipment: The term "face equipment" shall mean mo-131 bile or portable mining machinery having electric motors or 132 accessory equipment normally installed or operated inby the

133 last open crosscut in an entry or room.

Approved: The term "approved" shall mean in strict compliance with mining law, or, in the absence of law, accepted by a recognized standardizing body or organization whose approval is generally recognized as authoritative on the subject.

Permissible: The term "permissible" shall mean any equipment, device or explosive that has been approved as permissible
by the United States bureau of mines and meets all requirements, restrictions, exceptions, limitations and conditions attached to such classification by the bureau.

143 Certified electrician: The term "certified electrician" shall 144 mean any person who is qualified as a mine electrician 145 and who has passed an examination given by the de-146 partment of mines, or has at least three years of experience 147 in performing electricial work underground in a coal mine, 148 in the surface work areas of an underground coal mine, 149 in a surface coal mine, in a non-coal mine, in the mine 150 equipment manufacturing industry, or in any other industry 151 using or manufacturing similar equipment, and has satis-152 factorily completed a coal mine electrical training program 153 approved by the department of mines.

154 Armored cable: The term "armored cable" shall mean 155 a cable provided with a wrapping of metal, usually steel 156 wires or tapes, primarily for the purpose of mechanical 157 protection.

158 Borehold cable: The term "borehole cable" shall mean 159 a cable designed for vertical suspension in a borehole or 160 shaft and used for power circuits in the mine.

161 Cable: The term "cable" shall mean a standard 162 conductor (single conductor cable) or a combination of 163 conductors insulated from one another (multiple conductor 164 cable).

Flame-resistant cable, portable: The term "flame-resistant cable, portable" shall mean a portable flame-resistant cable that has passed the flame tests of the federal bureau of mines.

Portable (trailing) cable: The term "portable (trailing) cable" shall mean a flexible cable or cord used for connecting
mobile, portable or stationary equipment in mines to a trolley
system or other external source of electric energy where per-

5

Enr. H. B. No. 1197]

173 manent mine wiring is prohibited or is impracticable.

Branch circuit: The term "branch circuit" shall mean any
circuit, alternating current or direct current, connected to and
leading from the main power lines.

177 Circuit breaker: The term "circuit breaker" shall mean a
178 device for interrupting a circuit between separable contacts
179 under normal or abnormal conditions.

180 High voltage: The term "high voltage" shall mean voltages181 of more than one thousand volts.

182 Medium voltage: The term "medium voltage" shall mean183 voltages from six hundred sixty-one to one thousand volts.

184 Low voltage: The term "low voltage" shall mean up to and 185 including six hundred sixty volts.

Lightning arrestor: The term "lightning arrestor" shall mean
a protective device from limiting surge voltage on equipment by
discharging or by passing surge current; it prevents continued
flow of follow current to ground and is capable of repeating
these functions as specified.

191 Mine power center or distribution center: The term "mine 192 power center or distribution center" shall mean a combined 193 transformer or distribution unit, complete within a metal en-194 closure from which one or more low-voltage power circuits 195 are taken.

196 Delta connected: The term "delta connected" shall mean a 197 power system in which the windings or transformers or a. c. 198 generators are connected to form a triangular phase relation-199 ship, and with phase conductors connected to each point of 200 the triangle.

Wye-connected: The term "wye-connected" shall mean a power system connection in which one end of each phase windings or transformers or a.c. generators are connected together to form a neutral point, and a neutral conductor may or may not be connected to the neutral point, and the neutral point may or may not be grounded.

Zig-zag transformer (grounding transformer): The term "zig-zag transformer (grounding transformer)" shall mean a transformer intended primarily to provide a neutral point for
grounding purposes.

Neutral point: The term "neutral point" shall mean the connection point of transformer or generator windings from which

6

the voltage to ground is nominally zero, and is the point generally used for system groundings in wye-connected a.c. power
system.

216 Neutral (derived): The term "neutral (derived)" shall mean
217 a neutral point or connection established by the addition of a
218 "zig-zag" or grounding transformer to a normally ungrounded
219 power system.

Effectively grounded: The term "effectively grounded" is an expression which means grounded through a grounding connection of sufficiently low impendance (inherent or intentionally added or both) so that fault grounds which may occur cannot build up voltages in excess of limits established for apparatus, circuits or systems so grounded.

226 Grounded (earthed): The term "grounded (earthed)" shall 227 mean that the system, circuit, or apparatus referred to is 228 provided with a ground.

Ground or grounding conductor (mining): The term "ground or grounding conductor (mining)," also referred to as a safety ground conductor, safety ground, and frame ground, shall mean a metallic conductor used to connect the metal frame or enclosure of any equipment, device or wiring system with a mine track or other effective grounding medium.

Board of appeals: The term "board of appeals" shall mean as provided for in section thirty-one of this article.

237 Certified person: The term "certified person," when used to
238 designate the kind of person to whom the performance of a
239 duty in connection with the operation of a mine shall be as240 signed, shall mean a person who is qualified under the pro241 visions of this law to perform such duty.

Enr. H. B. No. 1197]

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

8

Variel a

Chairman Senate Committee C

iester

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Mariai V

Clerk of the Senate

Blankenst

Clerk of the House of Delegates

W

President of the Senate

Speaker House of Delegates

this the 25 The within____ , 1973. day of. ank Maare Governor



PRESENTED TO THE GOVERNOR

Date $\frac{4/25/73}{3:35p.M.}$.м. Time ____

RECEIVED

HAR 3 2 1: MAR

ACTIVE OF SECTOR STATE STATE OF UPUT VIRGINIA