

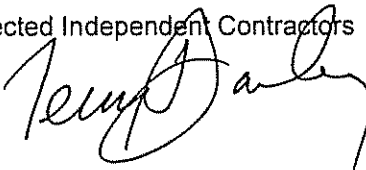


*State of West Virginia*  
**Joe Manchin III, Governor**

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## MEMO

TO: WV Underground Mine Operations and Affected Independent Contractors

FROM: Terry Farley, Administrator of Enforcement 

DATE: August 31, 2006

RE: Self Contained Self Rescuers (SCSRs)

West Virginia received worldwide attention when Senate Bill 247, requiring additional self contained self rescuers (scsr's), along with communication and tracking devices for all underground miners was enacted this past February. The legislation was of course sponsored by Governor Manchin.

While Senate Bill 247 requires additional scsr's regulations requiring all miners to have one scsr had already been in place for many years. This requirement obviously applies to underground mine inspection and safety personnel employed by the OMHST.

The agency originally purchased a significant quantity of scsr's in 1998 from a company known as CSE. The individual unit purchased is known as the CSE SR100 which is a belt wearable device. Given the nature of our inspection work belt wearable units were essential and are now of course mandatory. The units purchased by the agency were manufactured in February 1998 and put into service shortly thereafter. The units have a manufacturer's specified maximum shelf and / or use life of ten (10) years. The units obviously were scheduled to be replaced no later than February 2008.

Given the scrutiny of various scsr's and the concern that some may have failed during recent mine disasters in West Virginia and Kentucky, the agency considered it only imperative to have a random sample of scsr's currently being used by inspection and safety personnel removed from service and tested. The units are designed for one time use and can not be opened and tested without being expended.

A total of sixty-three (63) of the original CSE SR100's purchased by the agency in 1998 were still in use by agency personnel as of August 21, 2006. Seventeen of the units were chosen at random from among the agency's four regional offices and taken to a leased facility in Wisconsin to be opened and tested on an automated breathing simulator. The tests were conducted solely by WV Office of Miners Health Safety and Training personnel with the Kentucky Office of Mine Safety and Licensing which also utilizes CSE SR100 scsr's as observers. The tests were conducted solely by the two state agencies with no involvement by any other entity.

The tests of the West Virginia OMHST scsr's began on August 28, 2006 and are continuing. As of 6 p.m. on August 29, 2006 tests for a total of nine (9) OMHST units had been completed. The general results of the tests of the first nine (9) units are as follows:

Of the nine units tested eight of the containers housing the units had to be pried open with a screw driver due to decay.

An oxygen starting cartridge failed in all nine (9) units tested thus far. (Without a functional oxygen cartridge the units would take approximately fifteen (15) to twenty (20) minutes to produce enough oxygen to sustain human life.)

Breathing hoses in all nine (9) units tested were found to be stuck together due to decay.

Since the other forty-six (46) CSE SR100 units manufactured and acquired in 1998 are being used and stored in an identical manner it is only rational to conclude that all units must be removed from service immediately and replaced.

We will be attempting to determine how many CSE SR100 units purchased by mine operators before the manufacturer began installing heat damage indicators are being used throughout the industry. It is likely that a small percentage of these units are being used in a manner similar to that of the OMHST. However, we have no reason to believe at this juncture that CSE SR100 units not stored in vehicles, equipment or surface facilities where they may have been exposed to extreme heat would be at risk.

Once this information is obtained the OMHST will require mine operators to immediately remove from service all such units that fall into this category.

The CSE SR100's used by the agency were purchased before the manufacturer began installing a heat damage indicator on each scsr unit. When not in use underground inspectors have stored their individual scsr units in their assigned vehicles. It is possible that the extreme heat frequently generated inside parked vehicles has contributed to the damage to each unit. Since our evaluation of these scsr units is not entirely complete, we will not speculate as to what if any other factors may have contributed to the demise of these scsr units.

TLF:ks