

§56-4-8. Emergency Shelters/Chambers.
Notes for Manufacturer Training – version March 11, 2007

Rule

8.1. An emergency shelter/chamber shall be maintained within one thousand (1,000) feet of the nearest working face in each working section. Such emergency shelter/chamber shall be approved by the Director and shall be constructed and maintained in a manner prescribed by the Director.

8.1.1. The Director may approve, as an alternative to a shelter/chamber, an additional surface opening located no more than 1,000 feet from the nearest working face and accurately located on escape-way maps as required in W. Va. Code Chapter 22A Article 2-1.

8.5. No later than April 15, 2007 all underground mine operators shall submit an emergency shelter/chamber plan for approval by the Director in accordance with W. Va. Code Chapter 22A Article 1-36. The design, development, submission, and implementation of the shelter/chamber plan shall be the responsibility of the operator of each mine.

Notes

The shelter plan serves several purposes:

- 1) It provides a record of the thought process used in determining how emergency shelters will be used to provide life support for miners that are unable to escape in an emergency.*
- 2) It serves as the basis for training miners and mine rescue teams in the use of the shelter used in the mine.*
- 3) It serves as resource to mine rescue teams in the event they are called to the mine.*
- 4) It forms an enforceable agreement between the OMHS&T and the operator.*

At this time the only exception to manufactured shelters that will be entertained is for mines that are too low for one of the approved shelters. Those mines must contact their regional inspector-at-large prior to April 15th for a case-by-case determination.

Three copies the mine's Emergency Shelter Plan in 3-ring binders shall arrive at the mine's respective OMHS&T regional office by 4:00 pm April 16, 2007. Addresses can be found at www.wvminesafety.org (the rule says 4/15 but that is a Sunday so delivery will be accepted through the next day.

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8.6. Within thirty (30) calendar days after submission of the emergency shelter/chamber plan, the Director shall either approve the emergency shelter/chamber plan or shall reject and return the plan to the operator for modification and resubmission, stating in detail the reason for such rejection. If the plan is rejected, the Director shall give the operator a reasonable length of time, not to exceed fifteen (15) calendar days, to modify and resubmit such plan.

8.7. Within 15 days of approval of the emergency shelter/chamber plan by the Director, the underground mine operator shall submit as an addendum to its emergency shelter/chamber plan a copy of any contract, or purchase order, or other proof of purchase of any equipment required to complete the emergency shelter/chamber and for installation and ongoing maintenance

Notes

The contents of the submittal shall follow the table of contents attached here.

The OMHS&T does not anticipate delays in the review of shelter plans and it is expected that any necessary revisions by operators will be carried out expeditiously.

The OMHS&T has the authority to issue a cessation order if in his opinion an operator is intentionally delaying the installation of shelters.

The operator must submit a copy of their purchase order for any necessary items or services required to implement the shelter plan. This includes not only the shelter themselves but any maintenance or emergency response services identified.

At a minimum there will be purchase order documentation for the shelters, for routine and emergency survey services and for emergency well drilling. If the operator is doing these things in-house then proof of qualified staff and available equipment is required.

The delivery dates indicated from the manufacturer become enforceable dates for compliance.

If a manufacturer identifies that they will not be able to meet committed date, the manufacture will contact the operator and the Director immediately with the details of the reason for the delay, what is being done to correct them and when delivery can

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8.8. The operator shall submit certified progress reports no less frequently than every sixty (60) calendar days until full compliance is achieved.

8.9. After the Director has approved an operator's emergency shelter/chamber plan, the operator shall submit revisions to the emergency shelter/chamber plan at any time that changes in operational conditions result in substantive modification. In addition, at any time after approval, the operator may submit proposed modifications or revisions to its plan along with reasons therefore to the Director. Within thirty (30) days after receipt by the Director of any proposed revisions or modifications to the emergency shelter/chamber plan, the Director shall either approve or reject the revisions, stating in detail the reasons for such rejection.

be expected. It is the intent of the OMHS&T that every mine in WV will be in full compliance as soon as possible. Every possible tool will be used to ensure full compliance.

If a manufacturer is found to be not working in good faith to meet committed delivery dates the Director shall take what actions are deemed appropriate up to revoking approval of their products.

The OMHS&T will independently verify each purchase order submitted with the vendor(s) identified. If an item will can not be verified as represented it be will grounds for a finding of intentionally delaying installation of shelters and the Director shall take what actions are deemed appropriate up to issuing a cessation order until compliance is achieved.

These will be submitted to the OMHS&T Regional Office to which the plan was submitted.

The plan shall describe how the operator proposes to ensure that the OMHS&T has the most current version of its shelter plan. (i.e., updated with period mine map updates etc.)

The plan shall describe under what conditions the operator anticipates submitting modifications to other elements of the plan and the rationale for determining this approach.

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8.10. In developing the emergency shelter/chamber plan and any revisions, the operator shall take into consideration the physical features of the particular mine, emergency plans, advances in emergency shelter/chamber technologies and any other aspect of the particular mine the operator deems relevant to the development of the emergency shelter/chamber plan.

8.11. A copy of the approved emergency shelter/chamber plan shall be provided to the mine rescue teams providing coverage for the mine and included in the mine rescue program required by W. Va. Code Chapter 22A Article 1-35(q). Copies of the most recent version shall be available at the mine for emergency responders. As changes are made to the approved emergency shelter/chamber plan, updated versions shall be submitted to the above parties.

Notes

The plan shall begin with a description of the geology overlying the mine and the mining technique including the most recent mine map indicating the proposed location of the shelter(s), SCSR caches, mine phones, fire fighting equipment, and any other emergency equipment.

The plan shall describe likely scenarios in which the shelters might be used and how those scenarios affected the plan.

The plan shall state the criteria to be used in selecting the specific location of the crosscut into which the shelter will be placed and the rationale for those criteria.

The plan shall describe the mines emergency plans and attach a copy those plans as an appendix

The plan shall describe how advances in technology will be incorporated in the plan as they become available.

The plan may include any other information that is deemed important and useful to miners and emergency responders regarding understanding the capabilities and use of selected shelters in an emergency.

The plan shall identify all relevant emergency organizations and the means that will ensure they have the most recent version of the shelter plan. These include but are not limited to all mine rescue teams covering the mine (company, private, state, and federal), on-call survey team(s), on-call drilling team(s) and any other organization whose ability to respond

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8.12. The proposed emergency shelter/chamber plan shall:

8.12.1. Describe the structure and operations of the emergency shelter/chamber, the surveyed location of the shelter and any necessary survey monuments for locating emergency drilling operations to the shelter/chamber and the shelter/chamber's role in emergency response;

8.12.2. Ensure that proper emergency shelter/chamber use is included in initial mine hazard training in such a manner that it is in compliance with all manufacturer's requirements and is provided yearly in addition to annual

would benefit from having advance access to the shelter plan.

There are a number of items included here:

- 1) The plan must summarize and include as an attachment the operating instructions for the shelter and its contents*
- 2) The plan must contain information on the surveyed location and how that location will be found on the surface in the event of an accident. This will require information on how and who is on call for surveying and how and who is on call to drill any holes needed. These shall not only be summarized in the plan but copies of proof of such arrangement as attachments. The persons and firms listed on these attachments will be contacted for confirmation before a plan can be approved. Also, the plan must describe the process for resurveying the shelter location each time it is moved and how the escapeway maps will be updated each time.*
- 3) To address the role of the shelter in an emergency response there will need to be references in the mines emergency plans that contain this information Copies of these documents shall be submitted as addendums.*

The plan will need to explain how the use of the shelters is included in training. The first element of all training is that escape is the primary response to accident. The plan shall

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refresher training. All training shall be recorded and made available upon request;

include a summary of training and the attachment of all training materials along with the schedule for training for the year and the method for documenting training along where those records will be kept.

The training described shall include both lecture and experiential lessons with some form of demonstration of mastery of the information.

8.12.3. Ensure weekly inspections of emergency shelters/chambers and contents shall be conducted by a certified mine foreman and/or mine examiner and recorded in weekly ventilation examination book;

The plan must describe the procedure for each inspection and where the records of those inspections will be kept.

Attached must be the manufacturer's checklists for each type of inspection, routine, relocation, annual, etc.

8.12.4. Ensure that weekly safety meetings review the current location of applicable emergency shelters/chambers and results of the latest inspection;

The plan must describe the procedure for ensuring that each shift is briefed on the location and status of shelters along with measures to ensure that is done.

8.12.5. Ensure that all opening to emergency shelters/chambers shall be equipped with easily removable tamper-proof tags such that a visual indication of unauthorized access to the emergency shelter/chamber can be detected; and

Provide examples of the tags to be used and a copy of the signage indicating that tampering with the unit is a felony.

8.12.6. Ensure that the mine's communication center shall monitor any communication systems associated with the emergency shelter/chamber at all times that the mine is occupied.

The plan must describe the type(s) of communication system that is available to anyone that is forced to use the shelter and what provisions have been made to rapidly reestablish communication if lost in the accident. The plan shall describe provision made for the incorporation of communication and

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tracking technologies as they become available in the mine.