



State of West Virginia
Joe Manchin III, Governor

WV Office of Miners' Health, Safety & Training
Ronald L. Wooten, Director
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June 28, 2007

Mr. Andy Stein
VP President
Active Control Technology Inc.
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Burlington, ON L7L 6A1
Canada

Subject: Verification of functionality of the Active Control Technology Incorporated's ActiveMine™ system under WV Legislative Rule Title 56, Series 4 Legislative Rules Governing Protective Clothing and Equipment

Sir:

After the evaluation of the documentation submitted and with the recommendation of our technical reviewers the Office of Miner's Health Safety and Training verifies that the Active Control Technology Incorporated's ActiveMine™ system has demonstrated functionality such as would allow WV underground mining permit holders to meet all or part of their requirements for emergency communications and tracking outlined in the West Virginia Legislative Rule Governing Protective Clothing and Equipment, 56CSR4-8 and will be included in the listing of approved devices.


This transmittal does not negate the necessity of intrinsic safety approval from the U. S. Department of Labor, Mine Safety and Health Administration (MSHA). Upon receipt of such, please submit a copy along with your request for modification products listing.

Active Control Technology Incorporated's ActiveMine™ system shall, upon request, provide this office with verification of valid orders, delivery dates, and status of delivery as required for this office to enforce 56CSR4-8. Additionally, Active Control Technology Incorporated will notify this office as soon as it is determined that circumstances have arisen that will impact the delivery dates quoted as part of an approved mine communication/tracking plan.

Active Control Technology Incorporated will provide additional information on the functionality of the ActiveMine™ system in differing mine environments as it becomes available. Upon validation of the additional functionality the information will be appended to that made available by this office to mine operators.

Any changes required or enhancements to the approved design affecting the ability to meet any provision of 56CSR4-8 shall require approval of this office prior to any affected ActiveMine™ system being placed into operation.

Sincerely,


Ronald Wooten, Director
Office of Miners' Health and Safety