



State of West Virginia
Joe Manchin III, Governor

WV Office of Miners' Health, Safety & Training
Ronald L. Wooten, Director
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June 6, 2007

Mr Bill Hensler, President
Wholesale Mine Supply
1161 Augusta Circle
Irwin, PA 15642

Subject: Verification of Functionality of the Varis Smart Comm and Smart Tag Systems
under WV Legislative Rule Title 56, Series 4 Governing Protective Clothing
and Equipment

Sir:

After the evaluation of the documentation submitted and with the recommendation of our technical reviewers the WV Office of Miners' Health Safety and Training verifies that the Varis Smart Comm and Smart Tag systems have 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) While the Varis Smart Comm has an MSHA approval the Varis Smart Tag is still pending. Upon receipt of such, please submit a copy along with your request for modification the products listing

Wholesale Mine Supply 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, Wholesale Mine Supply 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

Wholesale Mine Supply will provide additional information on the functionality of the Varis Smart Comm and Smart Tag systems 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 from this office prior to any affected Varis Smart Comm or Smart Tag systems being placed into operation.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Wooten".

Ronald Wooten, Director
Office of Miners' Health and Safety