

**Review of the Varis Smart Comm & Smart Tag Systems Manufactured by Wholesale Mine Supply for  
Functionality with  
WV Legislative Rule Title 56, Series 4 Emergency Rules Governing  
Protective Clothing and Equipment**

**June 6, 2007**

After the evaluation of the documentation submitted the technical reviewers agree that the manufacturer and their representatives, Wholesale Mine Supply, presented sufficient proof of functionality such as Varis Smart Comm & Smart Tag Systems 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 Emergency Rule Governing Protective Clothing And Equipment, §56-4-8 and these products should be included in the Director's listing of approved devices.

WV 56-4 Requirement	Functionality Confirmed
<p>9.5. The Director shall require providers seeking approval submit documentation certified by a licensed West Virginia professional engineer that the product has been tested for functionality in West Virginia underground mines, that the product has been or is in the process of being approved as intrinsically safe by MSHA and other criteria as the Director determines, a description of the process used in making that determination and a certification in the following form: "I, the undersigned, hereby certify that this product, to the best of my knowledge and belief, meets or exceeds all requirements set forth in W. Va. CSR Title 56 Series 4-9, that the product has been tested for functionality in West Virginia underground mines, that the product has been or is in the process of being approved as intrinsically safe by MSHA and other criteria as the Director determines."</p>	<p>A certified letter was provided from Steve Capelli, PE, attesting to the validity of the results presented.</p> <p>Proof of active review of Varis Smart Comm &amp; Smart Tag Systems for applicable electrical safety by the Mine Safety and Health Administration was provided.</p>
<p>9.11. In developing the communication/tracking plan and any revisions, the operator shall take into consideration the needs for emergency communications and tracking/locating resulting for accidents as described at W. Va. Code Chapter 22A Article 2-66(a), physical features of the particular mine, emergency plans, existing communication infrastructure, communications required under W. Va. Code Chapter 22A Article 1-35(k) and 2-42 and W. Va. CSR Title 36 Series 2-2 and 5-2, advances in communication/tracking technologies and any other aspect of the particular mine the operator deems relevant to the development of the communication/tracking plan.</p>	<p>Wholesale Mine Supply presented installation and operational flexibility such that Varis Smart Comm &amp; Smart Tag Systems could be adapted by operators to meet various underground mining schemes utilized in West Virginia.</p> <p>Wholesale Mine Supply presented flexibility in their system such that Varis Smart Comm &amp; Smart Tag Systems could be upgraded by operators as technology advances.</p> <p>Wholesale Mine Supply presented sufficient technical expertise to aid operators in adapting Varis Smart Comm &amp; Smart Tag Systems to their unique mining conditions and integration with other systems.</p>

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9.13.1. A communication center monitored at all times during which one or more miners are underground.	Wholesale Mine Supply presented documentation that Varis Smart Comm & Smart Tag Systems features provide a means for operators to monitor communication and tracking from a central location.
9.13.2. Knowing the location of all miners immediately prior to an event by tracking/locating device in the escape-ways, normal work assignments, or notification of the communication center;	Wholesale Mine Supply presented documentation that Varis Smart Comm & Smart Tag Systems provides the ability for installation such that an operator could know the location of miners prior to an event.  Demonstrated specific performance is attached. Performance in conditions others than those attached have not been verified by the information presented and require additional submittals.
9.13.3. Knowing the location of miners in the escape-ways after an event providing the tracking system is still functional;	Wholesale Mine Supply presented documentation that Varis Smart Comm & Smart Tag Systems provided the ability for operators to develop installations that maximize the likelihood of survivability and provided a means of rapidly re-establishing tracking if lost.
9.13.4. Check-in and check-out with the communication center by miners prior to entrance and exit from bleeders and remote or seldom used areas of the mine (all times shall be logged);	Wholesale Mine Supply presented documentation that an operator could institute a combination of administrative and technological means for knowing the location of a miner who is outside the coverage of the Varis Smart Comm & Smart Tag Systems installation.
9.13.5. Allowing two way communications coverage in at least two separate air courses and at least one of which shall be an intake;	Wholesale Mine Supply presented documentation that an operator could deploy Varis Smart Comm & Smart Tag Systems alone or in conjunction with other systems such that two-way wireless communications (text with signal response only) would be achieved in two or more airways.  Demonstrated specific performance is attached. Performance in conditions others than those attached have not been verified by the information presented and require additional submittals.
9.13.6. Maintaining communication/tracking after loss of outside power and maintain function both inby and outby of the accident event site with suitable supply of equipment for rapid reconnection;	Wholesale Mine Supply presented documentation that an operator could install Varis Smart Comm & Smart Tag Systems in a manner such that:

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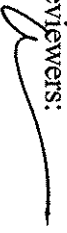
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WV 56-4 Requirement	Functionality Confirmed
9.13.8. Allow for communication to surface at all required emergency shelters/chambers;	<ul style="list-style-type: none"> <li>• Varis Smart Comm &amp; Smart Tag Systems could provide backup battery power</li> <li>• Varis Smart Comm &amp; Smart Tag Systems could provide communication between those inby the event</li> <li>• Varis Smart Comm &amp; Smart Tag Systems could provide communication between those outby the event</li> <li>• Varis Smart Comm &amp; Smart Tag Systems could provide alternative communication routing to allow inby miners to communicate with the surface maximizes survivability</li> <li>• Varis Smart Comm &amp; Smart Tag Systems could be deployed in a manner that reconnect capability</li> </ul>
9.13.9. All miners and likely emergency responders shall be trained in the use, limitations and inter-operability of all components of the communication and tracking/locating system. This shall be incorporated into ongoing required training. All training shall be recorded and made available upon request;	Wholesale Mine Supply provided information indicating their ability to aid operators in developing and implementing necessary training.
9.15.3. A statement regarding how the communications/ tracking system will be tested and maintained; and	Wholesale Mine Supply provided information indicating their ability to aid in the training of operator staff or providing maintenance services

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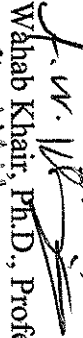
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Reviewers:

  
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