

Recently operators have reported a number of SCSR's as having have been stolen. Please remind your staff that as part of Senate Bill 247 passed last year that it is now a felony to tamper with or remove and SCSR from a mine or mine site.

*§56-4-6.15. As provided at W. Va. Code Chapter 22A Article 2-55(f)(3) any person that, without the authorization of the operator or the Director, knowingly removes or attempts to remove an SCSR from the mine or mine site with the intent to permanently deprive the operator of the device or knowingly tampers with or attempts to tamper with such a device shall be deemed guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than one year nor more than ten years or fined not less than ten thousand dollars nor more than one hundred thousand dollars, or both.*

When a violation is found the operator or contractor should immediately contact their local State Police office and file a report including the make and serial numbers of the units missing or tampered with. A copy of that report should be sent to this office.

A cross-check of serial numbers reported stolen will be made in the course of compiling the State's quarterly SCSR inspection reports and matches reported to State Police for criminal investigation.

We must all work together to ensure that required numbers of SCSR's are available to miners at all times they are underground or in stockpile dozers.