

WV Office of Miners' Health, Safety & Training Frank Foster, Director

#7 Players Club Drive, Suite 2 Charleston, West Virginia • 25311-1626 Telephone 304-558-1425 • Fax 304-558-1282

minesafety.wv.gov

Date: October 23, 2025

To: WV Underground Mine Operators, WV OMHS&T Inspectors at Large, Assistant Inspectors at Large, and Safety Instructors

From: Frank Foster, Director

Re: Vaping Devices in Underground Coal Mines

This is a notice of the W. Va. Office of Miners' Health, Safety and Training Director's interpretation that vaping devices are <u>not permitted</u> in underground coal mines.

Vaping devices can potentially produce sparks and cause fires, similar to other smoking devices prohibited under W. Va. Code § 22A-2-57(b). Unlike other electronic, heat producing equipment lawfully used in underground coal mines, vaping devices are neither regulated nor inspected to ensure safe operation and do not serve any purpose in the mining of coal.

This notice updates and supersedes any prior interpretations issued by the W. Va. Office of Miners' Health, Safety and Training.

= Fax 304-285-3275

⁻ Region Two

Region Three Region Four

^{■ 14} Commerce Dr., Suite 1 – Westover, West Virginia 26501

 ⁸³⁰ Virginia Ave. – Welch, West Virginia 24801-2352
431 Running Right Way – PO Box 180-Julian, West Virginia 25529

^{- 337} Industrial Dr. - Oak Hill, West Virginia 25901-9700

[■] Telephone 304-285-3268

⁻ Telephone 304-436-8421

⁻ Fax 304-436-2100 • Telephone 304-369-7823

[•] Fax 304-369-7826

[•] Telephone 304-469-8100 - Fax 304-469-4059