



State of West Virginia

WV Office of Miners' Health, Safety & Training

Frank Foster, Director

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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

A handwritten signature in blue ink, appearing to be "FF", written over the printed name "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 not permitted 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.