

State of West Virginia
Office of Miners' Health, Safety and Training

CERTIFICATION POLICY MANUAL



Revised October 2023

INTRODUCTION

The purpose of this document is to ensure consistent administration of the various miner certification and training programs mandated by the West Virginia Code and West Virginia Administrative Regulations. It is essential that all regional offices administer the certification programs in an even-handed and uniform manner. This document also establishes procedures to protect the integrity of certifications being issued. Measures have been taken to minimize the potential for certifications being issued in an illegal or fraudulent manner. Additionally, the protection of personal identifying information (PII) contained in the various applications and files are critically important. Those protections are mandated by state and federal statutes.

Agency employees shall adhere to the procedures outlined by this document without exception.

This document may change frequently as procedures change or certification requirements are modified.

Individual Certification Application Forms may be found on our web site:

minesafety.wv.gov

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Application forms may be found on our web site: minesafety.wv.gov

GENERAL INFORMATION & PROCEDURES

West Virginia Office of Miners' Health, Safety and Training Offices and Administration



Director's Office
#7 Players Club Drive – Suite 2
Charleston, West Virginia 25311
Telephone: 304-558-1425
Fax: 304-558-4875
minesafety.wv.gov

Regional Offices

Region One – Westover

14 Commerce Drive – Suite 1
Westover, WV 26501
Telephone: 304-285-3268
Fax: 304-285-3275

WVTCC & Region Three – Julian

431 Running Right Way
Julian, WV 25529
Telephone: 304-369-7823
Fax: 304-369-7826

Region Two – Welch

830 Virginia Avenue
Welch, WV 24801
Telephone: 304-436-8421
Fax: 304-436-2100

Region Four – Oak Hill

337 Industrial Drive
Oak Hill, WV 25901
Telephone: 304-469-8100
Fax: 304-469-4059

Reciprocity Agreement

Agreement between The State of West Virginia and the State of Virginia

The West Virginia Office of Miners' Health, Safety and Training will issue electrical certifications to any miner possessing a Virginia Electrical Repairman Certification who has presented a valid card as proof of the Virginia certification. Also, they must present proof of current federal and state retraining, copy of grades from the Virginia examinations and pay a \$15.00 fee. These individuals will then be issued a West Virginia Electrical Certification for low, medium, and high voltages.

The authority was granted by Senate Bill 469, passed during the 1996 regular legislative session.

The Virginia Board of Coal Mining Examiners will issue electrical certifications to any miner possessing a valid West Virginia electrical certification for low, medium, and high voltages. To receive this certification by reciprocity, applicants must present proof of current retraining, a copy of grades from the West Virginia examination, and pay a \$10.00 application fee. Upon meeting these requirements, applicants will be issued a Virginia Electrical Repairman Certification.

The Virginia Department of Mines, Minerals, and Energy (DMME) entered into this agreement in accordance with provisions of Section 45.1-161.33 of the Coal Mine Safety Laws of Virginia and the requirements of the Board of Coal Mining Examiners.

MEMORANDUM OF AGREEMENT

Certification of Reciprocity

PURPOSE:

This Memorandum of Agreement (MOA) is made this 12 day of Jan 2010, by and between the Commonwealth of Virginia Department of Mines, Minerals, and Energy (DMME) and the West Virginia Office of Miners' Health, Safety and Training (OMHST). The purpose of this agreement is to enable coal mine personnel who have demonstrated competency through certification within one state to gain comparable certification within the neighboring state under the provisions established by this agreement. To efficiently and effectively administer a program for coal mine personnel certification reciprocity, the Commonwealth of Virginia DMME and the West Virginia OMHST desire to enter into this MOA.

OBJECTIVE AND INTENT:

Virginia and West Virginia share a common border and have coal miners' working the same coal beds within the Appalachian coalfields. Often, the same operating companies employ coal miners and agents who are mobile within the region, transferring and moving from one state to the other, seeking to perform comparable duties as qualified and certified persons. This agreement will provide common benefits for mining citizens and operators, by enabling certified coal mine personnel of good standing to receive comparable certification in a neighboring state without repeating the entire rigorous training and examination process.

AUTHORITY:

Virginia statute §45.1-161.33 authorizes the DMME to enter into reciprocal agreements with other states regarding the certification of miners. The DMME may, pursuant to a reciprocal agreement; issue to any person holding a certification by another state a certification permitting a miner to perform similar tasks in the commonwealth provided the requirements for certification in such state are substantially equivalent to those of Virginia.

Likewise, §22A-1-39 of the West Virginia Code authorizes the Director of the West Virginia OMHST, in consultation with the West Virginia Board of Miner Training, Education and Certification, to offer reciprocity of mine foreman to persons certified by states which accept West Virginia's mine foreman so long as the other state's qualification, examination, and certification criteria are equivalent to those utilized by West Virginia.

PROVISIONS OF AGREEMENT:

In consideration of the shared purpose, objectives, intent and authority established by acts of the respective state assemblies, the parties agree as follows:

1. This agreement shall not be construed as a delegation of authority from the Virginia DMME to the West Virginia OMHST, nor from the West Virginia OMHST to the Virginia DMME and nothing herein contained shall be construed to hinder, prevent, or impede either from performing any duty or serving any function permitted or required by the respective Mine Safety Acts.

2. The Chief, Division of Mines, Virginia DMME and the Director of the West Virginia OMHST or their designated representatives shall serve as liaisons to facilitate communication and cooperation between the two agencies under this MOA.
3. Each agency shall appoint a Reciprocity Coordinator within its respective state to develop and implement written procedures for the administration of this reciprocity agreement.
4. The Reciprocity Coordinators shall schedule and conduct within ninety (90) days of the signing of this MOA, a comprehensive, joint review of each state's certification program and policies and procedures for the purpose of gaining understanding of each other's program. Regular meetings may be conducted by the Reciprocity Coordinators to ensure that both programs maintain comparable, high standards for certification of applicants.
5. Both states agree to share and copy records and other information and to work toward a system for electronic capability to facilitate this effort.
6. All applicants for certification by reciprocity in Virginia must pay the required fees for certification; provide photo identification, a current copy of his or her certification card or certificate, and verifiable documentation of all degrees held. Also, applicants must comply with any other criteria that the Chief, Division of Mines, in consultation with the Board of Coal Mining Examiners, may reasonably require to effectively carry out the requirements of the Coal mining Safety Laws of Virginia
 - NOTE: Any certification can only be obtained one time via reciprocity and a letter of good standing from the other state must be provide at the time of application. Any letter of good standing older than 30 days at the time of certification must be resubmitted.
7. Applicants for Electrical Repairman Underground or Electrical repairman -Surface certification by reciprocity must pass, with a score of 80% on each section, the hands-on (practical) part of the examination which is uniquely different from the other state's examination.
8. Applicants for First Class Mine Foreman (Underground) must pass, with a score of 85% on each section, mining laws of VA, records (weekly examination, pre-shift/on-shift), and practical exercise (Ventilation; Roof Control; Emergency Response).
9. Applications for Surface Foreman must pass, with a score of 85% on each section, the VA Mining Laws, Virginia Coal Surface Reclamation Regulations; and Records (Pre-shift/On-Shift; Ground Control/Red Zone Practical; Gas Detection).

10. Applicants for Advanced First Aid, EMT, First Responder, or MET must provide verification of current certifications. Reciprocity for Advanced First Aid may be attained by attending an 8 hour Advanced First Aid Reciprocity Class (taught by a DM certified instructor). No examination is required. Advanced First Aid continuing education is required every year.
11. Applicants for certification by reciprocity in West Virginia must adhere to the following:
 - a. All applicants for certification by reciprocity in West Virginia shall submit photographic identification, a current copy of his or her certification card or certificate, verifiable documentation of all degrees held, continuing education successfully completed, and documentation of other training, if required for the certification, and shall also comply with any other criteria as the Director of the West Virginia OMHST, in consultation with the West Virginia Board of Miner Training, Education and Certification, may reasonably require from time to time to effectively carry out the requirements of West Virginia Code §22A-1-39.
 - b. West Virginia does not issue underground or surface only electrical certifications. Therefore, applicants possessing only a Virginia underground or surface certification must upgrade to the West Virginia low / medium / high electrical certification. This requires applicants to pass additional parts of the West Virginia electrical certification examination. All underground applicants must pass any hands-on and National Electrical Code portion of the West Virginia electrical certification examination which is uniquely different from the Virginia examination. All surface applicants must also pass the hands-on, legal requirements, National Electric Code and permissibility portions of the West Virginia written electrical certification examination. Applicants should be advised that they must possess a West Virginia coal miner's certificate in the type of mining in which they expect to be employed to be eligible to work as an electrician without being under the direct supervision of another West Virginia certified electrician who is also a certified coal miner.
 - c. Applicants for mine foreman certification by reciprocity must pass that part of the West Virginia Mine Foreman examination that pertains to specific West Virginia mining laws and rules and those other parts of the West Virginia Mine Foreman examination which are uniquely different

from Virginia's examination. The applicant must pass these parts of the West Virginia Mine Foreman Examination with a score of at least 80 percent. All mine foremen who have obtained certification by reciprocity must complete at least 8 hours of continuing education every two years as required by West Virginia Code §22A-7-7.

- d. When making application for reciprocity with West Virginia the miner must provide a current letter of good standing from Virginia.
12. Continuing education and mandated retraining for certified mine personnel, where required, must be met in accordance with established state standards to maintain certification.
 13. Both states agree to provide information related to suspension and decertification actions taken against any certified person. The Reciprocity Coordinators will formally review any such action involving a person holding a certification by reciprocity.
 14. Nothing in the MOA shall relieve mine operators or certified agents of the operators of their responsibility to comply with applicable provisions of law and regulations.
 15. This MOA may be modified in writing by the mutual consent of the parties.
 16. This MOA may be terminated at any time by either party giving written notice to the other party at least thirty (30) days prior to the date the termination is to take place.

IN WITNESS WHEREOF, this MOA has been executed by the parties hereto in manner and form sufficient to bind them as of the day and year first written.


Chief, Division of Mines, DMME


Director OMHST

Reciprocity Agreement

Agreement between The State of West Virginia and the State of Kentucky

LAW OFFICES

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89 WOODLAND HILLS
P.O. DRAWER 980
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FAX (606) 573-3956
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WILLIAM A. RICE
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LONDON, KENTUCKY 40741
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October 26, 2007

Ronald L. Wooten
State of West Virginia
Office of Miners' Health & Safety Training
1615 Washington Street East
Charleston, WV 25311-2126

RE: Kentucky — West Virginia Reciprocity



Dear Ron:

You probably have already been informed that in our October 25, 2007 meeting, the Mining Board voted to authorize entering into the Reciprocity Agreement with West Virginia. Thank you so much for your prompt assistance with this matter. This has been way too long in the making and I truly believe will be a huge benefit to all states involved.

It has been a pleasure working with you. I look forward to seeing you in the future and hope you will not hesitate to contact me should you have any questions or concerns.

Very truly yours,

A handwritten signature in cursive script that reads "Jane Rice Williams".

Enclosure
JRW/ch

MEMORANDUM OF AGREEMENT
Certification of Reciprocity

PURPOSE:

This Memorandum of Agreement (MOA) is made this 25th day of October 2007, by and between the Commonwealth of Kentucky Mining Board (herein MB) and the West Virginia Office of Miners' Health, Safety and Training (WVOMHST). The purpose of this agreement is to enable coal mine personnel who have demonstrated competency through certification within one state to gain comparable certification within the neighboring state under the provisions established by this agreement. To efficiently and effectively administer a program for coal mine personnel certification reciprocity, Kentucky MB and WVOMHST desires to enter into this MOA.

OBJECTIVE AND INTENT:

Kentucky and West Virginia share a common border and have coal miners working the same coal beds within the Appalachian coalfields. Often the same operating companies employ coal miners and agents who are mobile within the region, transferring and moving from one state to the other, seeking to perform comparable duties as qualified and certified persons. This agreement will provide common benefits for mining citizens and operators, by enabling certified coal mine personnel of good standing to receive comparable certification in a neighboring state without repeating the entire rigorous training and examination process.

AUTHORITY:

Kentucky statute KRS 351.122 authorizes the MB to enter into reciprocal agreements with other states regarding the certification of miners. The MB may, pursuant to a reciprocal agreement, issue to any person holding a certification issued by another state a certification permitting a miner to perform similar tasks in the commonwealth provided the requirements for certification in such state are substantially equivalent to those of Kentucky.

Likewise, § 22A-1-39 of the West Virginia Code authorizes the Director of the West Virginia Office of Miners' Health, Safety and Training, in consultation with the West Virginia Board of Miner Training, Education and Certification, to offer reciprocity of mine foreman and/or experienced miner certifications to persons certified by states which accept West Virginia's mine foreman and/or experienced miner certifications, so long as the other state's qualification, examination, and certification criteria are equivalent to those utilized by West Virginia.

PROVISIONS OF AGREEMENT:

In consideration of the shared purpose, objectives, intent and authority established by acts of the respective state assemblies, the parties agree as follows:

1. This agreement shall not be construed as a delegation of authority from the MB to the WVOMHST, nor from the WVOMHST to the MB and nothing herein contained shall be construed to hinder, prevent, or impede the MB or WVOMHST from performing any duty or serving any function permitted or required by the respective Mine Safety Acts.
2. The Director of the Division of Miner Training, Education and Certification, Office of Mine

Safety and Licensing for the Department of Natural Resources in the Commonwealth of Kentucky and the Director of the WVOMHST shall serve as liaisons to facilitate communication and cooperation between MB and WVOMHST under this MOA.

3. The MB Chairman and WVOMHST shall each appoint a Reciprocity Coordinator within their respective states to develop and implement written procedures for the administration of this reciprocity agreement.
4. The Reciprocity Coordinators shall schedule and conduct within ninety (90) days of the signing of this MOA, a comprehensive, joint review of each state's certification program and policies and procedures for the purpose of gaining understanding of each other's program. Regular meetings will be conducted by the Reciprocity Coordinators to ensure that both programs maintain comparable, high standards for certification of applicants.
5. Both states agree to share and copy records and other information, and work toward a system for electronic capability to facilitate this effort.
6. Applicants for certification by reciprocity in Kentucky must:
 - a. Pass the applicable part of the examination with regard to Kentucky law which is uniquely different from the other state;
 - b. Submit proof, in accordance with KRS 351.182, that he or she is drug and alcohol free;
 - c. Submit proof of retraining sufficient to meet Kentucky requirements; and
 - d. Verify that certification in Kentucky or in any other state has not been suspended, revoked, or probated.
7. Applicants for certification by reciprocity in West Virginia must:
 - a. All applicants for certification by reciprocity in West Virginia shall submit photographic identification, a current copy of his or her certification card or certificate, verifiable documentation of all degrees held, continuing education successfully completed, and documentation of other training, if required for the certification, and shall also comply with any other criteria as the Director of WVOMHST, in consultation with the West Virginia Board of Miner Training, Education and Certification, may reasonably require from time to time to effectively carry out the requirements of West Virginia Code § 22A-1-39.
 - b. Applicants for electrical certification reciprocity must pass the hands-on part of the West Virginia electrical certification examination which is uniquely different from the other state's exam.
 - c. Applicants for mine foreman certification reciprocity must pass that part of the West Virginia Mine Foreman exam that pertains to specific West Virginia mining laws and rules and those other parts of the West Virginia Mine Foreman exam which are uniquely different from the other state's exam. The applicant must pass these parts of the West Virginia Mine Foreman exam with a score of at least 80 percent. All

mine foreman who have obtained certification by reciprocity must complete at least eight hours of continuing education every two years as required by W. Va. Code § 22A-7-7.

- d. Applicants for experienced miner certification reciprocity must pass those parts of the West Virginia experienced miner exam which are uniquely different from the other state's exam and shall receive hazard training in accordance with the provisions contained in 30 CFR Part 48.11 if the applicant is an underground miner, or in accordance with the provisions contained in 30 CFR Part 48.31 if the applicant is a surface miner, and shall receive instruction in West Virginia mining laws and rules pertinent to any duties that are or will be assigned the miner prior to the miner performing any duties.

- 8. When making applications for reciprocity with either state the miner must provide a current letter of good standing from the state from which he currently holds the certification being considered for reciprocity.

- 9. Continuing education and mandated retraining for certified mine personnel, where required, must be met in accordance with established state standards to maintain certification.

- 10. Both states agree to provide information related to suspension and decertification actions taken against any certified person. The Reciprocity Coordinators will formally review any such action involving a person holding a certification by reciprocity.

- 11. Nothing in the MOA shall relieve mine operators or certified agents of the operators of their responsibility to comply with applicable provisions of law and regulations.

- 12. This MOA may be modified in writing by the mutual consent of the parties.

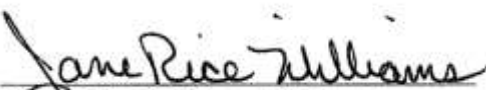
- 13. This MOA may be terminated at any time by either party giving written notice to the other party at least thirty (30) days prior to the date termination is to take place.

IN WITNESS WHEREOF, this MOA has been executed by the parties hereto in manner and form sufficient to bind them as of the day and year first written.

WEST VIRGINIA OFFICE OF MINERS'
HEALTH, SAFETY & TRAINING

COMMONWEALTH OF KENTUCKY
MINING BOARD

BY: 
Ronald L. Wooten, Director

BY: 
Jane Rice Williams, Chairman

Reciprocity Agreement

Agreement between The State of West Virginia and the State of Ohio

Memorandum of Understanding

Between

**The State of Ohio, Department of Natural Resources,
Division of Mineral Resources Management**

and

**The State of West Virginia
Office of Miners' Health, Safety & Training**

RECIPROCITY OF MINE FOREMAN AND MINE ELECTRICIANS

I. Purpose

This memorandum of understanding establishes an agreement between the State of Ohio and the State of West Virginia concerning the reciprocity of coal mine foreman certifications and mine electricians.

II. Term, revision, and termination

This MOU shall be effective when signed by both parties and may be modified in writing by mutual consent of both parties. This MOU may be terminated at any time by either party giving written notice to the other party at least thirty (30) days prior to the effective date of the termination.

III. Responsibilities—Underground Mine Foreman

The State of West Virginia shall issue a corresponding foreman, shotfirer certification, and a West Virginia Miners Card to any individual who possesses a valid mine foreman certification from the State of Ohio and who has completed the following:

- 1) Complete the mine foreman application including photograph.
- 2) Submit a copy of his/her Ohio mine foreman certification.
- 3) Provide a non-refundable fee of \$35.00.
- 4) Provide a letter of good standing.
- 5) Pass the mine laws component of the West Virginia mine foreman certification examination with a score of at least eighty (80) percent.

The State of Ohio shall issue a corresponding certification to any individual who possesses a valid mine foreman certification from the State of West Virginia and who has completed the following:

- 1) Submit a completed mine foreman application.
- 2) Submit a copy of his/her West Virginia mine foreman certification.
- 3) Submit a non-refundable fee of \$25.00.
- 4) Provide a letter of good standing.
- 5) Pass the mine laws component of the Ohio mine foreman certification examination with a score of at least eighty (80) percent.
- 6) Pass the test for Shotfirer unless applicant is a certified Shotfirer in West Virginia.

IV. Responsibilities—Electrician

The State of West Virginia will issue a corresponding mine electrician certificate to any individual who possesses a valid underground and surface electrical certification from the State of Ohio and who has completed the following:

- 1) Submit proof of current State and Federal Electrical certification and retraining by a certified instructor.
- 2) Submit a fee of \$10.00.
- 3) Provide a letter of good standing.
- 4) West Virginia does not issue underground or surface only electrical certifications. Therefore, applicants possessing only an Ohio underground or surface certification must upgrade to the West Virginia low/medium/high (LMH) electrical certification. This requires applicants to pass additional parts of the West Virginia electrical certification examination. All underground applicants must pass any hands-on and legal requirements portions of the West Virginia electrical certification examination which is uniquely different from the Ohio examination. All surface applicants must also pass the hands-on, legal requirements, and permissibility portions of the West Virginia written electrical certification examination. Applicants should be advised that they must possess a West Virginia coal miner's certificate in the type of mining in which they expect to be employed to be eligible to work as an electrician without being under the direct supervision of another West Virginia certified electrician who is also a certified coal miner.

NOTE: Any certification can only be obtained one time via reciprocity and a letter of good standing from the other state must be provided at the time of application. Any letter of good standing older than 30 days at the time of certification must be resubmitted.

The State of Ohio will issue a corresponding mine electrician certificate to any individual who possesses a valid electrical certification from the State of West Virginia and who has completed the following:

- 1) Submit proof of current State and Federal Electrical certification and retraining by a certified instructor.
- 2) Submit a fee of \$10.00
- 3) Provide a letter of good standing.

The State of Ohio and the State of West Virginia will verify Electrical Certification with the Federal Qualifications and Certifications Branch in Denver, Colorado.

V. Responsibilities—Surface Mine Foreman—Coal

The State of West Virginia shall issue a corresponding foreman and miners certification to any individual who possesses a valid strip mine foreman certification from the State of Ohio and who has completed the following:

- 1) Complete the mine foreman application including photograph.
- 2) Submit a copy of his/her Ohio mine foreman certification.
- 3) Provide a non-refundable fee of \$35.00.
- 4) Provide a letter of good standing.
- 5) Pass the mine laws component of the West Virginia mine foreman certification examination with a score of at least eighty (80) percent.

The State of Ohio shall issue a corresponding certification to any individual who possesses a valid mine foreman certification from the State of West Virginia and who has completed the following:

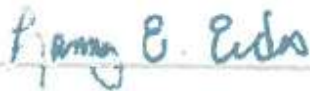
- 1) Submit a completed mine foreman application.
- 2) Submit a copy of his/her West Virginia Mine Foreman Certification.
- 3) Submit a non-refundable fee of \$25.00.
- 4) Provide a letter of good standing.
- 5) Pass the mine laws component of the Ohio mine foreman certification examination with a score of at least eighty (80) percent.

Ohio
ODNR-Division of Mineral Resources
Management

West Virginia
Office of Miners' Health, Safety & Training

By: Lanny E. Erdos, Chief

By: William A. Tucker, Administrator



Howard Dyer, Mine Safety Program
Administrator



ADDENDUM TO RECIPROCITY AGREEMENT

Realizing that the foreman's test is the same for Assistant Mine Foreman and Mine Foreman and the type of certification issued is based on years of experience,

It has been agreed upon by The State of Ohio, Ohio Department of Natural Resources Mine Safety and The State of West Virginia, Office of Miners' Health, Safety & Training to issue the Assistant Mine Foreman Certification when the applicant for mine foreman has less than five years' experience.

Ohio Department of Natural Resources Mine Safety

WV Office of Miners' Health, Safety & Training

By: Ranny E. Edds
Date: 3/4/2013

By: William A. Tueler
Date: 3/4/2013



State of West Virginia

WV Office of Miners' Health, Safety & Training
#7 Players Club Drive, Suite 2 • Charleston, West Virginia • 25311
Telephone 304-558-1425 • Fax 304-558-1282
minesafety.wv.gov

TO: [Person you are sending this to]
[Office you are sending this to]
[Email address of the person you are sending this to]

FROM: [Your Name]
WV Office of Miners' Health, Safety & Training
[Your email address]

DATE: [Date]

SUBJECT: Reciprocity – Letter of Good Standing
[Name of Individual] – [Type of Certification]

For the purpose of application for [type of certification(s)] Certification(s) from West Virginia to [State you are sending this to] as in the Memorandum of Understanding (MOU) between the two states, this document is to verify that the following individual has completed all necessary requirements to obtain [his/her certification types] Certification(s) and is in good standing:

[Name of Individual – SS# XXX-XX-1234]

[Certification type – Certification Number – Date Issued]

[Certification type – Certification Number – Date Issued]

[Certification type – Certification Number – Date Issued]

[Certification type – Certification Number – Date Issued]

If you have any questions or need further information, you can contact me at [office phone number] or via e-mail at [(your email address)].

• Region One	• 14 Commerce Dr., Suite 1 - Westover, West Virginia 26501	• Telephone 304-285-3268	• Fax 304-285-3275
• Region Two	• 830 Virginia St. - Welch, West Virginia 24801-2311	• Telephone 304-436-8421	• Fax 304-436-2100
• Region Three	• 431 Running Right Way - Julian, West Virginia 25529	• Telephone 304-369-7823	• Fax 304-369-7826
• Region Four	• 337 Industrial Dr. - Oak Hill, West Virginia 25901-9714	• Telephone 304-469-8100	• Fax 304-469-4059

West Virginia Office of Miners' Health, Safety and Training

Certification & Examination Fee Schedule

All Super. and Foreman Certs. (Exception: Surface Construction Super = \$20)	\$40
Mine Rescue Instructor	\$45
Apprentice Electrician	\$20
Electrician	\$25
Gas Testing Instructor	N/C
Mine Rescue Team	N/C
Mine Foreman Reciprocity	\$40
Certified Diesel Instructor (In person class, per person. Includes the examination & certification)	\$150
Certified Diesel Instructor (Examination & Certification)	\$35
Duplicate Cards (All)	\$20
All Other Certifications	\$20

For further information, contact any Miners' Health, Safety and Training office.

The above stated fees are subject to periodic changes.

ADMINISTRATION OF EXAMINATIONS

1. Applicant submits appropriate certification application.
2. Examiner will ensure that the application has been completed and verify applicant ID.
3. Collect appropriate examination fee from applicant.
4. Issue receipt to applicant. (Specific examination must be noted on receipt.)
5. Examination is administered. Most examinations are computer based. However, in certain situations a written or staff given oral examination may be administered.
6. Specific examinations may require additional administrative procedures. These will be noted in the descriptions of those specific certifications.
7. Examiner shall sign all documents submitted by the applicant.
8. Examiner shall record the applicant's score on the application.
9. If at all practical, examiners should issue cards at the time of examinations.
10. No recording devices, including cell phones, digital cameras, recorders, or other such devices shall be permitted in the examination area.

RECORD KEEPING

1. The appropriate certification number is recorded on the certification application along with the applicant's examination score.
2. The applicant's receipt number, along with the receipt book number, shall also be recorded on the certification application.
3. All certification documents shall be filed alphabetically according to certification category.
4. Access to certification paper and electronic files shall be restricted to authorized personnel in the regional office.
5. Individuals who do not pass examinations will be recorded in the certification database. All certifications shall be entered into the certification database by authorized personnel.
6. Data entry for certifications shall be restricted to authorized personnel in the regional office.

Duplicate Certification Issuance Policy

1. Applicant must show positive identification (i.e., picture ID).
2. Certification number must be verified either by the computer system and/or by the regional office files.
3. If the certification cannot be verified by the above reference sources, the person will be referred to the Charleston office for verification (only for miner certifications and mine foreman certifications).
4. If the certification is verified, then the appropriate fee will be collected and a receipt indicating the type of certification will be prepared.
5. Standard certification issuance procedures will be followed.
6. The certification will be added to the computer system by authorized office personnel.
7. Follow Certification Card Security Procedures for filing of certification documents.

Certification Card Security Procedures

1. Damaged or voided cards shall be shredded.
2. Paper copies of examinations shall be kept secure.
3. Only authorized agency personnel shall have access to paper copies of examinations and certification applications.
4. All official certification documents (such as applications) containing Personal Identifying Information (PII) shall be kept secured within the office.
5. Any other documents (such as notes) containing Personal Identifying Information (PII) shall be shredded.
6. Only authorized agency personnel shall have access to certification files and documents.
7. Only authorized agency personnel shall have full access to certification data files.

Revocation of Certifications

§22A-1-31. – Withdrawal of Certification.

(a) *Charge of breach of duty.* – A mine inspector or the director may charge a mine foreman, assistant mine foreman, fire boss or any other certified person with neglect or failure to perform any duty mandated pursuant to this article or article two of this chapter. The charge shall state the name of the person charged, the duty or duties he or she is alleged to have violated, the approximate date and place so far as is known of the violation of duty, the capacity of the person making the charge, and shall be verified on the basis of information and belief or personal knowledge. The charge is initiated by filing it with the director or with the Board of Appeals. A copy of any charge filed with the Board of Appeals or any member thereof, shall be transmitted promptly to the director. The director shall maintain a file of each charge and of all related documents which shall be open to the public.

The revocation of certifications is usually administered by the Board of Appeals (see **§22A-5-1 Board of Appeals**). Most often this is the result of an inspectors' issuance of an order for the withdrawal of a mining certificate. A certificate may be withdrawn permanently, temporarily, or voluntarily. Revocations are handled in the Charleston office through an order issued by the Board of Appeals. Individuals may voluntarily turn in certifications by completing the appropriate document and submitting it to that regional office – at which point they are also considered revoked. Authorized personnel in the Charleston office are responsible for maintaining the revocation database.

There will be no duplication of a revoked certification.

Certifications revoked in another state, cannot be certified in West Virginia. (See West Virginia Administrative Regulations, Title 56, Section 3, Series 23.)



West Virginia Office of Miners' Health, Safety and Training
Requirements for Apprentice Miner Class
(original 5-3-05 / modified 9-2008)

The following are requirements to be met to conduct apprentice miner training:

Inform the regional offices of the date the class begins and the number of hours the class is being conducted by submitting a class list no later than the second day of class. (Recommended form has been included.)

Be sure the names of all persons attending the class are recorded on the class list in alphabetical order. Names will not be added to the list once it is received by the regional offices.

The following information shall be recorded on the class list:

Student's Name (Legal Full Name) - Student's Address - Social Security Number
Student's Phone Number - Class Start Date - Class End date

If mistakes are made on the initial student list, the instructor shall submit a second copy noting corrections.

The regional offices will not test in excess of 25 students, and will not accept a class list exceeding 25 students per instructor.

Forty- and eighty-hour classes shall be separate and distinct classes and will not be held in conjunction with one another with the exception of first aid.

The classes will not exceed eight (8) hours of instruction per day, without prior approval of an authorized representative of the West Virginia Office of Miners' Health Safety and Training.

The Regional Offices shall be informed of the location the training is conducted and directions to the training facility.

The training facility is required to have adequate tables and chairs for a comfortable classroom setting.

When the class is completed, the instructor shall submit a final roster noting each person completing the class listed in alphabetical order. The instructor shall include his/her signature and instructor's number. Each instructor who conducts all or parts of the 40 and 80 hour training shall sign the final roster for the class. The instructor shall indicate those persons who did not complete the class.

Instructors are not permitted in the classroom(s) during testing of the students.

Rosters submitted must be legible.

Separate rosters will be required for the 40-hour and the 80-hour classes.

If an individual fails to complete the required training in the time frame specified but later completes required training, a separate roster will be completed for this individual showing the beginning class date and ending class date with an explanation.

Instructors shall establish a means of verifying daily attendance by individuals. This attendance record will reflect the actual training hours for that day. These daily logs will be made available for inspection for one (1) year following the last class date.

CERTIFICATIONS

APPRENTICE ELECTRICIAN CODE: 02

WV Administrative Regulations §48-7

The term “apprentice electrician” means an individual who is the holder of an apprentice electrician’s card and is in training to perform maintenance work on electrical circuits or electrically operated equipment.

WV Administrative Regulations §48-7-4

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must complete and submit the Apprentice Electrical Certification Application.
- Verification by the employer that the applicant has attended an eight (8) hour classroom training course in the hazards of electricity.
- Applicant has been issued an experienced miner card.
 - Electrical contractors, employees of preparation plants and employees working on the surface areas which do not require a miners’ certification may become an apprentice electrician provided they are enrolled in an approved electrical training program for a twelve (12) month period or in an alternative apprentice electrical program as set forth in WV Administrative Regulations, §48-8-8.3 and §48-8-7.1.
- Applicant is to be trained in accordance with this rule (enrolled in an approved electrical training program) or an alternative electrical training program established and approved pursuant to §48-8-8.3 and §48-8-7.1, for the next twelve (12) months.

Examination

- An examination is not necessary when the applicant has met the qualifications listed above.
- Fee of \$20.00.

Reciprocity

- None.

Exemptions

- None.

SURFACE COAL MINE TRUCK DRIVER CERTIFICATION CODE: 03

WV Administrative Regulations §48-3-2.9

Independent Coal Truck Driver

Independent coal mine truck drivers who possess an independent coal truck driver's certification are not required to complete the approved surface mining forty (40) hour or underground eighty (80) hour apprenticeship program nor must they possess a coal miners' certification in order to drive a coal truck on mine property.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must complete and submit a Coal Truck Driver Certification Application.
- Applicant must possess a first-aid card.
- Applicant must possess a valid driver's license.
- Applicant must complete the eight (8) hour West Virginia Truck Driver Training Course.

Examination

- Applicant shall pass a computer based or staff administered oral examination with a minimum score of 80%.
- No limitations regarding retesting in the event of a failure.
- Fee of \$20.00.

Reciprocity

- None.

Exemptions

- West Virginia surface mining certifications supersede this certification. Examples: Surface Apprentice Miner (valid), Surface Miner and/or Surface Mine Foreman.

Note: Persons who possess an independent coal truck driver's certification are limited to driving coal trucks while on mine property and are not to engage in reclamation work loading their own trucks, or other mining activities. This experience will not be applicable towards a miner's certification.

CERTIFICATE OF APPRENTICE (SURFACE)

CODE: 04

WV Code §22A-8-4 and WV Administrative Regulations §48-3-2, §56-3-55, and §56-3-56

Permit of Apprenticeship – Surface Miner

A permit of apprenticeship – surface miner shall be issued by the director to any person who has demonstrated by examination a knowledge of the subjects and skills pertaining to employment in the surface mining industry.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must complete an approved forty (40) hour surface miner apprentice program presented by an agency certified instructor.
- Experience – None.

Examination

- The surface miner apprentice class instructor shall submit a completed class roster to the regional office no later than the second day of the scheduled class.
- The roster will show the type of class; forty (40) hour apprentice program, along with the location, and starting and ending dates.
- The final roster shall include the signature, date, and certification number of the instructor.
- The roster shall be kept on file in the regional office.
- Applicant shall pass a computer based, written, or staff administered oral examination with a minimum score of 75%.
- When the class is completed, the instructor shall submit a final roster noting each person completing the class listed in alphabetical order. The instructor shall include his/her signature and instructor's number. Each instructor who conducts all or parts of the 40 and 80-hour training shall sign the final roster for the class. The instructor shall indicate those persons who did not complete the class.
- Instructors are not permitted in the classroom(s) during testing of the students.
- Rosters submitted must be legible.
- Separate rosters will be required for the 40-hour and the 80-hour classes.
- If an individual fails to complete the required training in the time frame specified but later completes required training, a separate roster will be completed for this individual showing the beginning class date and ending class date with an explanation.
- No person shall be employed as an apprentice for a period in excess of eight (8) months except, that in the event of illness or injury, time extensions shall be permitted as established by the director. *(See West Virginia Code §22A-8-5 and West Virginia Administrative Regulations, Title 56, Series 3, Section 57 - Supervision of apprentices): This may not apply to individuals that are not on mining property on a regular basis.*
- Fee of \$20.00.

Reciprocity and/or Exemptions

- None.

****Note: An apprentice certification will remain valid for an additional 8 months so long as employment remains unbroken. This gives the apprentice 14 months to get 6 months experience so long as you remain with the same employer.***

CERTIFICATE OF APPRENTICE (UNDERGROUND)

CODE: 05

WV Code §22A-8-3 and WV Administrative Regulations §48-2-2 and §56-3-55

Permit of Apprenticeship – Underground Miner

A permit of apprenticeship – underground miner shall be issued by the director to any person who has demonstrated by examination a knowledge of the subjects and skills pertaining to employment in underground mines.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must complete an approved eighty (80) hour underground apprentice program presented by an agency certified instructor.
- Experience – None.

Examination

- The underground miner apprentice class instructor shall submit a completed class roster to the regional office no later than the second day of the scheduled class.
- The roster will show the type of class; eighty (80) hour apprentice program, along with the location, and starting and ending dates.
- The roster shall include the signature and certification number of the instructor.
- The roster shall be kept on file in the regional office.
- Applicant shall pass a computer based, written, or staff given oral examination with a minimum score of 75%.
- When the class is completed, the instructor shall submit a final roster noting each person completing the class listed in alphabetical order. The instructor shall include his/her signature and instructor's number. Each instructor who conducts all or parts of the 40 and 80-hour training shall sign the final roster for the class. The instructor shall indicate those persons who did not complete the class.
- Instructors are not permitted in the classroom(s) during testing of the students.
- Rosters submitted must be legible.
- Separate rosters will be required for the 40-hour and the 80-hour classes.
- If an individual fails to complete the required training in the time frame specified but later completes required training, a separate roster will be completed for this individual showing the beginning class date and ending class date with an explanation.
- No person shall be employed as an apprentice for a period in excess of eight (8) months except, that in the event of illness or injury, time extensions shall be permitted as established by the director. *(See West Virginia Code §22A-8-5 and West Virginia Administrative Regulations, Title 56, Series 3, Section 57 - Supervision of apprentices): This may not apply to individuals that are not on mining property on a regular basis.*
- Fee of \$20.00.

Reciprocity and/or Exemptions

- None.

****Note: An apprentice certification will remain valid for an additional 8 months so long as employment remains unbroken. This gives the apprentice 14 months to get 6 months experience so long as you remain with the same employer.***

COAL MINER'S CERTIFICATE (UNDERGROUND)

CODE: 06

WV Code §22A-8-6 and WV Administrative Regulations §48-2-2

Certificate of Competency and Qualification – Underground Miner

A certificate of competency and qualification as an underground miner shall be issued by the director to any person who has at least six (6) months' total experience (being one hundred eight (108) shifts) working as an apprentice miner and has demonstrated his/her competence as a miner by successful completion of an examination given by the director or his/her authorized representative.

Criteria for Qualification (In State)

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must have a valid apprentice miner certification card.
- Applicant must submit a notarized Coal Miner Experienced Document.
- Experience – Six (6) months employment and one hundred eight (108) shifts worked underground.

Criteria for Qualifications (Out of State)

- If the applicant possesses a similar certificate from another state, such certificate must be presented, along with a notarized Coal Miner Experience Document verifying appropriate experience.
- If the applicant possesses a similar certificate from another state, such certificate must be verified as a valid card with the issuing state (i.e., Letter of Good Standing).
- If the state where the applicant worked does not issue a similar certification, the applicant must present proof of first aid training as required by WV Administrative Rule §48-2-2.

Examination (In State)

- Applicant shall pass a computer based, written, or staff given oral examination with a minimum score of 80%.
- No limitations regarding retesting in the event of failure.

Examination (Out of State)

- Applicant shall pass the examinations with a minimum score of 80%. Both apprentice miner and permanent miner's certification examinations shall be administered.
- Should the applicant fail to pass the apprentice miner examination, he/she may retest, however, failure to pass on the second attempt will necessitate completion of the eighty (80) hour apprentice program before attempting the examination again.
- Fee of \$20.00.

Reciprocity

- Yes, please refer to the reciprocity agreements.

Exemptions

- None

COALMINER'S CERTIFICATE (SURFACE)

CODE: 07

WV Code §22A-8-6 and WV Administrative Regulations §48-3-2.10

Certificate of Competency and Qualification – Surface Miner

A certificate of competency and qualification as a surface miner shall be issued by the director to any person who has at least six (6) months' total experience (being one hundred eight (108) shifts) working as an apprentice miner and has demonstrated his/her competence as a miner by successful completion of an examination given by the director or his/her authorized representative.

Criteria for Qualification (In State)

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must have a valid apprentice miner certification card.
- Applicant must submit a notarized Coal Miner Experienced Document.
- Experience – Six (6) months employment and one hundred eight (108) shifts worked on surface mine.

Criteria for Qualifications (Out of State)

- If the applicant possesses a similar certificate from another state, such certificate must be presented along with a notarized Coal Miner Experience Document verifying appropriate experience.
- If the applicant possesses a similar certificate from another state, such certificate must be verified as a valid card with the issuing state (i.e., Letter of Good Standing).
- If the state where the applicant worked does not issue a similar certification, the applicant must present proof of first aid training as required by WV Administrative Rule §48-2-2.

Examination (In State)

- Applicant shall pass a computer based, written, or staff given oral examination with a minimum score of 80%.
- No limitations regarding retesting in the event of failure.
- Fee of \$20.00

Examination (Out of State)

- Applicant shall pass the examinations with a minimum score of 80%. Both apprentice miner and permanent miner's certification examinations shall be administered.
- Should the applicant fail to pass the apprentice miner examination, he/she may retest, however, failure to pass on the second attempt will necessitate completion of the forty (40) hour apprentice program before attempting the examination again.
- Fee of \$20.00.

Reciprocity

- Yes, please refer to the reciprocity agreements.

Exemptions

- None.

SHOT FIRER CERTIFICATE

CODE: 08

WV Code §22A-1-2(d)(7) and §22A-2-33

Shot Firer Certification

Shall mean any person having had at least two (2) years practical experience in coal mines, who has a knowledge of ventilations, mine roof and timbering, and who has demonstrated his/her knowledge of mines gases, the use of gas detecting devices by examination and certification given by the Office of Miners' Health, Safety and Training.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must possess a valid underground coal miner's certificate.
- Experience – Two (2) years underground.
- Applicant must submit a notarized Shot Firer Experience Document documenting experience.

Examination

- Applicant shall pass a computer based, written, or staff given oral examination including a practical hands-on segment with a minimum score of 80%.
- No limitations regarding retesting in the event of a failure.
- Fee of \$20.00.

Reciprocity

- Yes, please refer to the reciprocity (MOU) between the State of Ohio, Department of Natural Resources, Division of Mineral Resource Management and the State of West Virginia, Office of Miners' Health, Safety and Training.

Exemptions

- None.

ADMINISTRATION OF MINE FOREMAN AND SUPERVISORY EXAMINATIONS

The certifying officer is the mine foreman examiner. (See West Virginia Code §22A-1-24.)

West Virginia Code §22A-1-25 – Duties of the mine foreman examiner

The duties of the mine foreman examiner are to:

- a. Prepare and conduct examinations of:
 - i. Mine foreman, assistant mine foreman, and fire bosses.
 - ii. Surface mine foreman and assistant mine foreman.
 - iii. Shaft and slope superintendent and shaft and slope examiner foreman.
 - iv. Clay mine foreman.
- b. Prepare and certify to the director a register of all persons who successfully completed the examination with a passing grade of 80%.

Review the application as to approval or disapproval.

- If disapproved, the application, along with a written explanation, is returned to the applicant.
- If approved, the applicant is notified by mail as to the place and time of the next scheduled exam. (See West Virginia Code §22A-1-26.)

Applicant will submit positive identification to the examiner (i.e., photo id).

The examiner will collect the appropriate fee and issue a receipt.

The receipt will reflect the type of examination that is to be administered.

The receipt number and book will be placed on the applicant's application form.

The applicant will complete an information form and the examiner will review the information form as to completeness.

The examination shall consist of both practical and written portions to include but not limited to: the demonstration of his/her knowledge of dangerous mine gases and their detection, mine safety, first aid, safety appliances, state and federal mining laws and regulations, and other subjects by completing such training, education and examinations as may be required of him/her under this chapter.

The examiner shall grade the examination and record the grade on the appropriate form (see West Virginia Code §22A-1-30).

RECORD KEEPING OF MINE FOREMAN AND SUPERVISORY EXAMINATIONS

The Mine Foreman Examiner will produce and maintain the following records:

1. Master tally sheet.
2. The applicant's application is filed and noted as to:
 - a. Certification number.
 - b. Classification.
 - c. Date of issuance.
 - d. Initialed by the examiner.
 - e. Receipt number/book number placed on the application.
3. The receipt book that is utilized by the mine foreman examiner shall be maintained and filed in the mine foreman examiner's office.

CERTIFICATION CARD SECURITY PROCEDURE

The mine foreman examiner is solely responsible for accounting and issuing all certifications concerning supervisory positions. The mine foreman examiner shall adhere to the Certification Card Security Procedures, Record Keeping Procedures, Administration of Examination Procedures and Criteria for Issuing Duplicate Certifications as outlined in the General Information section of this document.

Certification Accounting Procedure

1. A log is maintained reflecting the name and certification number of each card that is issued.
2. The examination shall be kept secured by the examiner at all times.

CERTIFICATION ISSUANCE PROCEDURE

Note: Only the mine foreman examiner shall issue supervisory certifications.

The director's signature will appear on the certification card.

The certification card along with the appropriate documentation will be mailed to the applicant.

Note: Persons not successfully achieving a passing score shall be notified by mail along with the appropriate scores.

MINE FOREMAN (UNDERGROUND)

CODE: 09

WV Code §22A-2-7

Mine Foreman-Fire Boss (Underground)

In every underground mine where five (5) or more persons are employed in a period of twenty-four (24) hours, the operator shall employ at least one person certified as a mine foreman-fire boss.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Underground Mine Foreman Application Packet.
 1. Applicant must be a resident of West Virginia or employed in a mine in West Virginia.

and

- 2(a1). Have at least five (5) years' experience in underground working, ventilation, and drainage of a coal mine.
- 2(a2). Which shall include at least eighteen (18) months' experience on or at a working section of an underground mine.

or

- 2(b1). Be a graduate of the school of mines at West Virginia University or of another accredited mining engineering school or be a graduate of an accredited engineering school with a bachelor's degree in mining engineering technology, electrical, mechanical, or civil engineering.
- 2(b2). Have at least two (2) years' practical experience in an underground mine.
- 2(b3). Which shall include at least eighteen (18) months' experience on or at a working section of an underground mine.

or

- 2(c1). Be a graduate of an accredited college or university with an associate degree in mining, electrical, mining engineering technology, mechanical engineering, or civil engineering.
- 2(c2). Have had at least four (4) years' practical experience in an underground mine.
- 2(c3). Which shall include at least eighteen (18) months' experience on or at a working section of an underground mine.

and

3. Have demonstrated his/her knowledge of dangerous mine gases and their detection, mine safety, first aid, safety appliances, state and federal mining laws and regulations and other subjects by examinations as may be required of him/her.

Examination

- Applicant must take a written and hands-on examination and must pass with 80% on each section of the examination. (Ref. Underground Mine Foreman Study Guide).
- Fee of \$40.00.

Reciprocity

- Yes, please refer to the reciprocity agreements.
- ***Any person holding a mine foreman's certificate issued by any other state may act in the capacity of mine foreman-fire boss in any mine in the state until the next regular mine foreman-fire boss' examination held by the Office of Miners' Health, Safety and Training, but not to exceed a maximum of ninety (90) days.***
 - ***If applicant fails the examination, he/she may no longer conduct examinations until he/she passes the examination.***

ASSISTANT MINE FOREMAN (UNDERGROUND)

CODE: 10

WV Code §22A-2-7

Assistant Mine Foreman-Fire Boss (Underground)

In every underground mine where five (5) or more persons are employed in a period of twenty-four (24) hours, the operator shall employ at least one person certified as a mine foreman-fire boss.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Underground Mine Foreman Application Packet.
 1. Applicant must be a resident of West Virginia or employed in a mine in West Virginia.

and

 - 2(a1). Have at least three (3) years' experience in underground working, ventilation, and drainage of a coal mine.
 - 2(a2). Which shall include at least eighteen (18) months' experience on or at a working section of an underground mine.

or

 - 2(b1). Be a graduate of the school of mines at West Virginia University or of another accredited mining engineering school or be a graduate of an accredited engineering school with a bachelor's degree in mining engineering technology, electrical, mechanical, or civil engineering.
 - 2(b2). Have had at least twelve (12) months' practical experience in an underground mine, all of which shall have been on or at a working section.

or

 - 2(c1). Be a graduate of an accredited college or university with an associate degree in mining, electrical, mining engineering technology, mechanical or civil engineering.
 - 2(c2). Have had at least two (2) years' practical experience in an underground mine.
 - 2(c3). Which shall include at least eighteen (18) months' experience on or at a working section of an underground mine.

and

 3. Have demonstrated his/her knowledge of dangerous mine gases and their detection, mine safety, first aid, safety appliances, state and federal mining laws and regulations and other subjects by examinations as may be required of him/her.

Examination

- Applicant must take a written and hands-on examination and must pass with 80% on each section of the examination. (Ref. Underground Mine Foreman Study Guide).
- Fee of \$40.00.

Reciprocity

- Yes, please refer to the reciprocity agreements.
- ***Any person holding a mine foreman's certificate issued by any other state may act in the capacity of mine foreman-fire boss in any mine in the state until the next regular mine foreman-fire boss' examination held by the Office of Miners' Health, Safety and Training, but not to exceed a maximum of ninety days.***
 - ***If applicant fails the examination, he/she may no longer conduct examinations until he/she passes the examination.***

MINE FOREMAN (SURFACE)

CODE: 11

WV Administrative Regulations §48-6-2 and §56-3-25

Surface Mine Foreman

In every surface mine where five (5) or more persons are employed in a period of twenty-four (24) hours, the operator shall employ at least one (1) person certified as a mine foreman.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Surface Mine Foreman Application Packet.
 1. Applicant must be a resident of West Virginia or employed in a mine in West Virginia.

and

- 2(a1). Have had three (3) years' experience in surface coal mining.
- 2(a2). Which shall include at least eighteen (18) months experience on or at a working section of a surface mine.

or

- 2(b1). Be a graduate of the school of mines at West Virginia University, or of another accredited mining engineering school.
- 2(b2). Have had at least two (2) years' practical experience on a surface mine.
- 2(b3). Which shall include at least eighteen (18) months experience on or at a working section of a surface mine.

and

3. Have demonstrated a knowledge of Mine Safety, First-Aid, Safety Appliances, Emergency Procedures relative to all equipment, State and Federal mining laws and regulations and other subjects by examinations.

Examination

- Applicant must take a written and hands-on examination and must pass with an 80% score on each section of the examination as may be required of him/her.
- Fee of \$40.00.

Reciprocity

- Yes, please refer to the reciprocity agreements.
- ***Any person holding a mine foreman's certificate issued by any other state may act in the capacity of mine foreman-fire boss in any mine in the state until the next regular mine foreman-fire boss' examination held by the Office of Miners' Health, Safety and Training, but not to exceed a maximum of ninety days.***
 - ***If applicant fails the examination, he/she may no longer conduct examinations until he/she passes the examination.***
- Experience at a preparation plant does not count towards experience for Mine Foreman (Surface) – Code 11.

Exemptions

- None.

ASSISTANT MINE FOREMAN (SURFACE)

CODE: 12

WV Administrative Regulations §48-6-2 and §56-3-25

Assistant Surface Mine Foreman

In every surface mine where five (5) or more persons are employed in a period of twenty-four (24) hours, the operator shall employ at least one (1) person certified as a mine foreman.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Surface Mine Foreman Application Packet.
 1. Applicant must be a resident of West Virginia or employed in a mine in West Virginia.

and

- 2(a1). Have had two (2) years' experience in surface coal mining.
- 2(a2). Which shall include at least eighteen (18) months experience on or at a working section of a surface mine.

or

- 2(b1). Be a graduate of the school of mines at West Virginia University, or of another accredited mining engineering school.
- 2(b2). Have had at least twelve (12) months' practical experience on a surface mine.
- 2(b3). All of which shall have been on or at a working section of a surface mine.

and

3. Have demonstrated a knowledge of mine safety, first-aid, safety appliances, emergency procedures relative to all equipment, State and Federal mining laws and regulations and other subjects by examinations.

Examination

- Applicant must take a written and hands-on examination and must pass with an 80% score on each section of the examination.
- Fee of \$40.00.

Reciprocity

- Yes, please refer to the reciprocity agreements.
- ***Any person holding a mine foreman's certificate issued by any other state may act in the capacity of mine foreman-fire boss in any mine in the state until the next regular mine foreman-fire boss' examination held by the Office of Miners' Health, Safety and Training, but not to exceed a maximum of ninety days.***
 - *If applicant fails the examination, he/she may no longer conduct examinations until he/she passes the examination.*
- Experience at a preparation plant does not count towards experience for Assistant Mine Foreman (Surface) – Code 12.

Exemptions

- None.

SHAFT AND SLOPE SUPERINTENDENT

CODE: 13

WV Administrative Regulations §36-3- 3

Employment of Agent

3.1 At each shaft and/or slope construction operation, the operator shall employ a shaft and/or slope superintendent, who shall be the agent in charge of the shaft and/or slope operation.

3.2 A certified person shall be in attendance at all times at each shaft and/or slope who has passed an examination given by the Office of Miners' Health, Safety and Training.

Criteria for Qualification

WV Administrative Regulations, Title 36, Series 3, Section 4. Superintendent – Shaft and/or Slope Certification.

- Applicant must be a minimum of 18 years of age.
- Applicant must present photo identification.
- Applicant must submit a notarized Shaft and Slope Superintendent/Shaft and Slope Examiner Foreman Application.

1(a1). Must have had at least five (5) years of experience in the underground workings, ventilations and drainage of a shaft and/or slope, or other related experience approved by the director of the Office of Miners' Health, Safety and Training.

1(a2). Which shall include at least twenty-four (24) months experience in the working place of a shaft and/or slope.

or

1(b1). Be a graduate of the school of mines of an accredited mining engineering technology, electrical, mechanical or civil engineering technology.

1(b2). Have had at least four (4) years' practical experience in the construction of shafts and/or slopes or other related experience approved by the Director of the Office of Miners' Health, Safety and Training.

1(b3). Which shall include at least twenty-four (24) months experience in the working place of shafts and/or slopes.

Examination

- Both written and practical subjects are addressed, and the applicant must demonstrate his/her knowledge of dangerous mine gases and their detection, mine safety, first aid, safety appliances, state mining laws and regulations by completing an examination as may be required of him/her by the Director of the Office of Miners' Health, Safety and Training.
- Fee of \$40.00.

Reciprocity and/or Exemptions

- None.

SHAFT AND SLOPE EXAMINER FOREMAN

CODE: 14

WV Administrative Regulations §36-3-8

Employment of Agent

3.1 At each shaft and/or slope construction operation, the operator shall employ a shaft and/or slope superintendent, who shall be the agent in charge of the shaft and/or slope operation.

3.2 A certified person shall be in attendance at all times at each shaft and/or slope who has passed an examination given by the Office of Miners' Health, Safety and Training.

Criteria for Qualification

WV Administrative Regulations, Title 36, Series 3, Section 8. Examiner/Foreman Certification.

- Applicant must be a minimum of 18 years of age.
- Applicant must present photo identification.
- Applicant must submit a notarized Shaft and Slope Superintendent/Shaft and Slope Examiner Foreman Application.

1(a1). Must have had at least three (3) years of experience in the workings, ventilation and drainage of a shaft and/or slope.

1(a2). Which shall include at least twenty-four (24) months experience in the working place of a shaft and/or slope

or

1(b1). Be a graduate of an accredited mining engineering school with a bachelor's degree in mining engineering technology, electrical, mechanical, or civil engineering.

1(b2). Have had at least two (2) years' practical experience in a shaft and/or slope, or other related construction work approved by the Director of the Office of Miners' Health, Safety and Training.

1(b3). Which shall include at least eighteen (18) months' experience in the working place of a shaft and/or slope.

Examination

- Both written and practical subjects are addressed, and the applicant must demonstrate his/her knowledge of dangerous mine gases and their detection, mine safety, first aid, safety appliances, state mining laws and regulations by completing an examination as may be required of him/her by the Director of the Office of Miners' Health, Safety and Training.
- Fee of \$40.00.

Reciprocity and/or Exemptions

- None.

SURFACE CONSTRUCTION SUPERVISOR

CODE: 15

WV Administrative Regulations §36-23-7

WV Administrative Regulations §36-23-3.8

Construction Work – Means the building, rebuilding, alteration, or demolition of any facility or addition to existing facility at a surface mine or surface area of an underground mine, including painting, decoration, or restoration associated with such work, and the excavation of land connected therewith, but excluding shaft and slope sinking and work performed on the surface incidental to shaft or slope sinking.

Employment of Certified Supervisor

The employer shall designate at least one (1) certified construction supervisor for each surface construction project at each specific mine where the employer employs ten (10) or more employees.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit a notarized Surface Construction Supervisor Application.

WV Administrative Regulations §36-23-8. Construction Supervisor Certification

36-23-8.1 Construction supervisor certification shall be issued to an applicant upon verification that the applicant has three (3) or more years' experience in surface construction work. Information relating to work experience shall be sworn to by the applicant and verified by the employer, or employers, for which the work was performed.

36-23-8.2 All supervisors who are or have been employed as such on construction work on or prior to the effective date of these regulations shall be granted certification upon request of the employer, or employers, for which the work was performed.

36-23-8.3 Any person holding construction supervisor certification issued by any other state may act in the capacity of a certified supervisor at any surface construction project in this state for a period not to exceed ninety (90) days.

Examination/Reciprocity/Exemptions

- Fee of \$20.00.
- No Examination.
- No Reciprocity.
- No Exemptions.

CLAY MINE FOREMAN CODE: 16

WV Code §22A-3-2

Clay Mine Foreman

In every underground clay mine where five (5) or more persons are employed in a period of twenty-four (24) hours, the operator shall employ a mine foreman who shall be a competent and practical person holding a certificate of competence for said position issued to him/her by the Office of Miners' Health, Safety and Training after an examination by such office.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must complete and submit a notarized Clay Mine Foreman Application.
- Applicant must be a citizen of the state.
- Applicant shall take an examination prescribed by the Director of the Office of Miners' Health, Safety and Training.
- Applicant must have had at least three (3) years' experience in the underground working of clay mines.

Examination

- Both written and practical.
- Fee of \$40.00.

Reciprocity and/or Exemptions

- None.

MINE RESCUE TEAM MEMBER

CODE: 17

WV Code §22A-1-34

The Director is authorized to have trained and employed at the rescue stations such rescue crews as he/she may deem necessary.

WV Administrative Regulations §48-4

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present proper identification.
- Applicant must be less than fifty (50) years of age.
- Applicant must pass a physical examination within thirty (30) days prior to scheduled initial training which will consist of thirty-two (32) hours.
- Initial mine rescue training must be conducted by an agency certified instructor (see mine rescue instructor).
- Applicant shall have been employed in an underground mine for a minimum of one (1) year.
- Applicant shall have completed an approved First-Aid course.
- Applicant shall present a valid underground coal miners' certificate unless he/she meets the criteria as a technical person outlined in WV Code 22A-8-8.

Examination

- Applicant shall take a written or oral examination including a practical hands-on segment.
- No limitations regarding retesting in the event of failure.
- No fee charged.

Reciprocity and Exemptions

- None.

Administration of Examination

- Applicant submits appropriate application (physical form).
- Applicant shall submit letter certifying completion of thirty-two (32) hour initial training course signed by a state certified instructor.
- Examiner will ensure that application has been properly completed and attach a copy of the applicant's photo identification.
- Written or oral examination is administered.
- Examiner shall sign all documents submitted by the applicant.

GAS TESTING INSTRUCTOR

CODE: 18

WV Code §22A-2-12(c) and WV Administrative Regulations §36-21-4.1

Gas Testing Instructor

Persons whose duties require them to administer the annual examinations for methane and oxygen deficiency shall be examined annually by a qualified official from the Office of Miners' Health, Safety and Training.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Official Gas Testing Instructor Experience Document.
- Experience – Applicant must possess a West Virginia Mine Foreman or Assistant Mine Foreman certification.

Examination

- Applicant must pass a practical examination consisting of the use and care of gas detection instruments.
- No limitations regarding retesting in the event of failure.
- No fee charged.

Reciprocity and Exemptions

- None.

Administration of Examination (Initial)

- Examiner will ensure that application has been properly completed.
- Practical examination is administered.
- Examiner shall sign all documents submitted by the applicant.
- Examiner shall record pass or fail on the application.
- Annual examination may be conducted at mine site or a regional office by a qualified representative of the director.

SHAFT & SLOPE SHOT FIRER CODE: 20

WV Code §22A-1-2(d)(7) and §22A-2-33

Shaft & Slope Shot Firer

Shall mean any person who has knowledge of ventilation, mine roof and timbering, and who has demonstrated his/her knowledge of mine gases, the use of a gas detecting device by examination and certification given by the Office of Miners' Health, Safety and Training.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Official Shaft & Slope Shot Firer Experience Document.
- Experience – Minimum of two (2) years' shaft and slope experience.

Examination

- Applicant shall pass a written or oral examination, including a practical hands-on segment with a minimum score of 80%.
- No limitations regarding retesting in the event of failure.
- Fee of \$20.00.

Reciprocity and Exemptions

- None.

BELT EXAMINER CERTIFICATION

CODE: 21

WV Administrative Regulations §48-1-3 and WV Code §22A-2-39(i)).

Certified Belt Examiner

Shall mean any person who meets the criteria outlined in Section 48-1-3 of these rules and regulations and is issued a belt examiner certification from the Office of Miners' Health, Safety and Training.

CRITERIA FOR QUALIFICATION

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit a notarized Belt Examiner Experience Document.
- Applicant must present a valid West Virginia underground miners' certificate.
- Experience – Minimum of two (2) years' practical underground mining experience.

Examination

- Applicant must successfully complete the certification examination prescribed in West Virginia Administrative Regulations §48-1-4 with a minimum score of 80 % on the written part along with passage of the practical part.
- No limitations regarding retesting in the event of failure.
- Failure of either the written or practical portions of the test would require the applicant to retest only on the failed portion.
- Fee of \$20.00.

Reciprocity and Exemptions

- None.

MINE RESCUE INSTRUCTOR

CODE: 22

WV Administrative Regulations §48-4

Mine Rescue Instructor

Each mine rescue team shall be trained by a state certified mine rescue instructor.

Criteria for Qualifications

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit a notarized Mine Rescue Instructor Application.
- Applicant must have been a mine rescue team member for at least two (2) years or have received special training approved by the director.
- Applicant must have at least three (3) years' underground mining experience or have received special training approved by the director.
- Applicant must be thoroughly trained in the use and care of all types of detection instruments and apparatuses to be used by the team.
- Applicant must demonstrate to the director or his representative that he/she is qualified to serve as an instructor.
- Instructors for initial training of mine rescue team members shall be approved by the Director of the Office of Miners' Health, Safety and Training.

Examination

- Applicant must pass written and practical examinations consisting of care, maintenance, use of breathing apparatus and mine rescue equipment.
- No limitations regarding retesting in the event of failure.
- Examination is scored on a Pass/Fail basis.
- Fee of \$45.00.

Reciprocity and Exemptions

- None.

40-HOUR INSTRUCTOR (SURFACE)

CODE: 23

80-HOUR INSTRUCTOR (UNDERGROUND)

CODE: 24

WV Administrative Regulations §48-3-6

40-Hour Instructor (Surface)

WV Administrative Regulations §48-2-6

80-Hour Instructor (Underground)

Instructors who wish to teach the forty (40) hour Surface Mine Apprentice Program and/or the eighty (80) hour Underground Mine Apprentice Program must be approved by the Office of Miners' Health, Safety and Training as having demonstrated sufficient experience and/or knowledge of surface and/or underground coal mining.

CRITERIA FOR QUALIFICATION

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Instructor Application, including a summary of the applicant's teaching experience and related credentials (e.g.; MSHA training certifications).
- Applicant must present a description of his/her work experience in sufficient detail to determine the applicant's exposure to the unit operations of coal mining.
- Application must also address the content area(s) in the training program for which he/she will be responsible.
- Application shall include the name and address of the person who should be notified as to the candidate's approval or disapproval.

Examination

- Fee of \$20.00.
- No examination.

Reciprocity and Exemptions

- None.

Approval Procedure

- The examiner will sign all documents submitted by the applicant and note approval or disapproval along with the date.
- Should the examiner determine that the applicant should not be approved, after consultation with a supervisor, he/she shall prepare a letter to the applicant outlining all reasons for disapproval. A copy of the letter shall be directed to the examiner's immediate supervisor and a file maintained in the examiner's regional office.
- Upon approval, the application will be forwarded to the appropriate office.

CERTIFIED ELECTRICIAN LOW-MEDIUM-HIGH CODE: 26

WV Administrative Regulations §48-7 and §48-8

Certified Electrician Low/Medium/High

WV Code §22A-1-2(d)(2) and WV Administrative Regulations §56-3-3

Any person who is qualified as a mine electrician and who has passed an examination given by the Office of Miners' Health, Safety and Training, or has at least three (3) years of experience in performing electrical work underground in a coal mine, in the surface work areas of an underground coal mine, in a surface coal mine, in a non-coal mine, in the mine equipment manufacturing industry, or in any other industry using or manufacturing similar equipment, and has satisfactorily completed a coal mine electrical training program approved by the Office of Miners' Health, Safety and Training, or any person who is qualified as a mine electrician in any state that recognizes certified electricians licensed in West Virginia.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit an Electrical Experience Document Application along with any additional documentation needed.

and

- Apprentice Electrician – with the proper time and training documented.
 - Applicant must submit an Electrical Experience Document Application along with logbook within thirty (30) days of completion of the apprentice program.

or

- Degree in Electrical Engineering – A person who has a bachelor's degree or associate degree in electrical engineering from an accredited college or university and has had at least six (6) months' experience in performing electrical work under the supervision of a certified electrician.

or

- Prior Electrical Certification – A person needing to re-test may take the test up to two times. If there is a second failure of the test, the applicant must take the forty (40) hour classroom training as defined in §48-7-4.1.1 a, b, c, d, e, f, and g. Once they take the forty (40) hour classroom training, there is no limit on the number of times they are allowed to test.

or

- Similar Experience – A person who has at least three (3) years' experience in performing electrical work in an underground coal mine, on the surface work areas of an underground coal mine, on a surface coal mine, in a non-coal mine, in the mine equipment manufacturing industry, or in any other industry using or manufacturing similar equipment may file an application and challenge the electrical certification test to become a certified electrician. If the experience is properly documented and approved by the director or his/her authorized representative, then the applicant may test to become a certified electrician.

or

- Any person who is qualified as a mine electrician in any state that recognizes certified electricians licensed in West Virginia. Please refer to the reciprocity agreements.

Examination

- Applicant must score at least eighty (80) percent on the computer administered exam.
- The hands-on skill is graded on a pass/fail basis only.
- An applicant who fails to pass the examination, they must reapply to take the examination within thirty (30) days after notification of a failing score. An applicant who fails the examination two (2) times must receive at least for (40) hours of additional classroom training as provided in WV Administrative Regulations §48-7-4.1.1(a) of these rules prior to retaking the examination. An apprentice that fails the examination the third time must repeat the twelve (12) month apprentice program.
- Fee of \$25.00.

Reciprocity

- Yes, please refer to the reciprocity agreements.

Exemptions

- Mining equipment manufacturer's service representatives are not required to be certified as mine electricians or apprentice electricians in order to perform work on equipment which is manufactured or serviced by the company they are representing. Such individuals are considered to be persons trained to perform electrical work and to maintain electrical equipment. When work is performed by manufacturer's service representatives who are not a certified electrician or an apprentice electrician, such work shall be performed under the direct supervision of a certified electrician and the completed work is to be examined by a certified electrician before the machine or equipment is placed in service.
- Certifications from other states. Any person holding a mine electrician certification issued by any other state may act in the capacity of electrician until the next available electrical certification examination is held by the Office of Miners' Health, Safety and Training, but for a period not to exceed a maximum of ninety (90) days.

Approval Procedure

- Prior to taking an examination for certification an individual must submit an application to the Office of Miners' Health, Safety and Training to take the examination.
- Upon receipt of an application for examination, the examiner shall provide for the applicant to be examined at the next available examination within fifteen (15) days from receipt of the application and shall inform the applicant of the time and place for the examination.
- Examiner shall review the following:
 - Verify the Electrical Experience Document is completed correctly.
 - Apprentice – Logbook with time, dates, and signatures; proof of classroom time.
 - Electrical Degree – Attached copy of the degree and verification of six (6) months experience.
 - Previous Electrical Certification – Copy of cards – state and federal
 - Certification in another state – Copy of state certification and federal cards.
 - Verification with another state – Status the applicant's certifications (Letter of Good Standing).
 - Any logbooks or time.
- Examiner/Electrical Inspector shall complete and sign the MSHA required 5000-17 form, make a copy of the form, and will send the original to MSHA in Denver, Colorado.

**GAS TESTING INSTRUCTOR
CONSTRUCTION, SHAFT, SLOPE SUPERVISOR
CODE: 27**

WV Code §22A-2-12(c) and WV Administrative Regulations §36-21-4.1

Gas Testing Instructor – Construction, Shaft, Slope Supervisor

Persons whose duties require them to administer the annual examinations for methane and oxygen deficiency shall be examined annually by a qualified official from the Office of Miners' Health, Safety and Training.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must submit the Official Gas Testing Instructor Experience Document.
- Experience – Applicant must possess a West Virginia Mine Foreman – Assistant Mine Foreman certification or a shaft and/or slope Superintendent certification.

Examination

- Applicant must pass a practical examination consisting of the use and care of gas detection instruments.
- No limitations regarding retesting in the event of failure.
- No fee charged.

Reciprocity and Exemptions

- None.

Administration of Examination (Initial)

- Examiner will ensure that application has been properly completed.
- Practical examination is administered.
- Examiner shall sign all documents submitted by the applicant.
- Examiner shall record pass or fail on the application.
- Annual examination may be conducted at mine site or a regional office by a qualified representative of the director.

QUALIFIED DIESEL INSTRUCTOR

CODE: 28

WV Administrative Regulations §56-23-22

Qualified Diesel Instructor shall be trained in accordance with criteria as established and approved by the Director of the Office of Miners' Health, Safety and Training.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present proper identification.
- Applicant must submit the Qualified Diesel Instructor Application.
- Applicant may attend the approved West Virginia Qualified Diesel Instructor Class.
- Applicant may use the QDI Study Guide to study for the examination.

Examination

- Applicant shall pass a computer based, written, or staff given oral examination with a minimum score of 80%.
- Applicant must wait at least seven (7) days before retesting.
- Fee for in-person class, examination, & certification is \$150.00 per person.
- Fee for examination and certification is \$35.00.

Reciprocity and Exemptions

- None.

QUALIFIED CLEARING CREW

CODE: 29

WV Administrative Regulations §56-2-21

Qualified Clearing Crew

Requires all employees of companies conducting clearing operations to complete a sixteen (16) hour clearing crew class.

- Eight (8) hours of task specific safety (clear cutting) training.
- Eight (8) hours of first aid, CPR, and emergency procedures.
 - Only needed if the applicant does not have proof of first aid training.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must have a minimum of sixteen (16) hours training consisting of:
 - Eight hours task specific (clear cutting) training.
 - Eight hours first aid, CPR, and emergency procedures.
- Certification will be issued when applicant provides a completed MSHA 5000-23 Certificate of Training.

Examination

- Fee of \$20.00
- No examination.

Reciprocity and Exemption

- None.

Approval Procedures

- Annually must have a minimum of eight (8) hours. training in the above subjects.

QUALIFIED PERSON – ELECTRICIAN

CODE: 30

WV Administrative Regulations §48-8

Provides criteria and standards for alternative training programs for apprentice coal mine electricians. This is intended as an alternative to the traditional twelve (12) month program for certification of electricians.

Qualified Person – Electrician

A person who has completed all of the educational and testing requirements established by the WV Board of Coal Mine Health and Safety.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present proper identification.
- Applicant must be a certified miner (exception 48CSR8-7.1).
- Applicant must be enrolled in a program approved by the WV Board of Coal Mine Health and Safety.

Examination

- After six (6) months there is a required examination. Following another six (6) months of training, for a total of twelve (12) months, a certification is issued.
- Fee of \$20.00

Reciprocity

- None.

Approval Procedure

- WV Administrative Regulations §48-8 provides detailed descriptions of benchmarks and requirements for applicants to complete this program. These include but **are not limited to:**
 - Eight (8) hour electrical hazards class.
 - Three hundred sixty (360) classroom and laboratory training hours (must document ninety (90) percent of hours).
 - Work at a mining facility two hundred seventy-seven (277) electrical experience hours.
 - Twenty (20) percent of hands-on hours must be on high voltage systems.

UNDERGROUND MINE FOREMAN CONTINUING EDUCATION INSTRUCTOR CODE: 31

WV Code §22A-7-7

This law established requirements and criteria for continuing education for underground mine foreman.

Criteria for Qualification

- Applicant must be a minimum of eighteen (18) years of age.
- Applicant must present proper identification.
- Applicant must possess a degree in education or other mining related field or have an underground miner's certificate and at least two (2) years' underground experience.
- Applicant must submit a notarized Underground Mine Foreman Continuing Education Instructor Application.
- Application shall include the name and address of the person who should be notified as to the candidate's approval or disapproval.
- Instructors will be tentatively approved until a class has been monitored by a representative of the Office of Miners' Health, Safety and Training.

Examination

- Fee of \$20.00
- No examination.

Reciprocity and Exemptions

- None.

SAFETY SENSITIVE CERTIFICATION

CODE: 32

WV Administrative Regulations §56-19-3.17 and §56-19-4

Safety Sensitive Certification

The term safety sensitive position means an employment position where the employee's job responsibilities include duties and activities that involve the personal safety of the employee or others working at the mine.

Criteria for Qualification

- Applicant must be at least eighteen (18) years of age.
- Applicant must present photo identification.
- Applicant must present the twenty-four (24) hour MSHA training (5000-23) when required by MSHA.
 - If position does not require MSHA twenty-four (24) hour training, the applicant must show proof that he/she has successfully completed hazard training.
- Applicant must submit a notarized Safety Sensitive Personnel Document.
- Experience – None.

Examination

- Fee of \$10.00
- No examination.

Reciprocity

- None.

Exemptions

- Any other current and valid OMHST certification.

Clarification

In the **Part 48 MSHA Reference guide** it clearly defines the different type of workers, MSHA refers to them as A1 and A2 miners.

(A)(1) Miner means, for purposes of Section 48.23 through 48.30 of this Subpart B, • Any person working in a surface mine or surface areas of an underground mine and who is engaged in the extraction and production process, or • Any person who is regularly exposed to mine hazards, or PPM: "Regularly exposed" means either frequent exposure, that is exposure to hazards at the mine or a frequent rather than consecutive day basis (a pattern of recurring exposure), or extended exposure of more than 5 consecutive workdays, or both. (Requires 24 Hour Training.)

(A)(2) Miner means, for purposes of Section 48.3 (Hazard training) of this Subpart B, any person working in a surface mine, including any delivery, office, or scientific worker or occasional, short-term maintenance or service worker contracted by the operator, and any student engaged in academic projects involving his or her extended presence at the mine.

EMERGENCY MEDICAL TECHNICIAN – MINER CERTIFICATION

CODE: 33

WV Administrative Regulations §56-22-3 and §56-22-4

Emergency Medical Technician-Miner (EMT-M)

The term EMT-M means an individual trained and certified to be an emergency medical technician for the mining industry. The term EMT-M means an EMT-Miner as well as EMT-Mining.

Criteria for Qualification

- Applicant must be at least 18 years of age.
- Applicant must present photo identification.
- Applicant must apply on a form prescribed by the director.
- Applicant must possess a valid and current CPR certification.
- Applicant must successfully complete the EMT-M education program.

Examination

- Successfully pass the cognitive and skills examination with 70%.
- Fee of \$10.00

Reciprocity

- An EMT or medical professionals in other jurisdictions who possess equivalent training as an EMT-M under this rule may apply on a form prescribed by the director to be certified as an EMT-M subject to the approval by the director in consultation with the board.

WV Code §22A-1-1(c)

Exemptions

- Emergency medical services personnel – Any person certified by the Commissioner of the Bureau of Public Health, or authorities recognized and approved by the Commissioner, to provide emergency medical services as authorized in article §16-4c, of this code, including emergency medical technician-industrial.

EMERGENCY MEDICAL TECHNICIAN – MINER INSTRUCTOR

CODE: 34

WV Administrative Regulations §56-22-3 and §56-22-5

Emergency Medical Technician – Miner Instructor

The term EMT-M Instructor means an individual certified by the director to teach the certification and recertification courses and administer the examinations based on his/her qualifications, experience, and background.

Criteria for Qualification

- Applicant must be at least 18 years of age.
- Applicant must present photo identification.
- Applicant must apply on a form prescribed by the director.
- Applicant must be a certified or qualified first-aid instructor.
- Applicant must possess a valid and current EMT-M certificate or its equivalent or be a medical professional approved by the director in consultation with the board.
- Applicant must be a current and valid CPR instructor.

EXAMINATION

- Fee of \$10.00
- No examination.

RECIPROCITY

- An EMT-M instructor in good standing in June 2016 shall be recognized as an EMT-M instructor so long as he/she possesses a current and valid first aid instructor certificate and a current and valid CPR instructor certificate.

RAISED BORE / BLIND DRILLING SHAFT SUPERINTENDENT-EXAMINER-FOREMAN

CODE: 35

RAISED BORE / BLIND DRILLING EXAMINER-FOREMAN

CODE: 36

WV Administrative Regulations §36-1-21 – Employment of Agent

21.1 At each shaft and/or slope construction operation, the operator shall employ a shaft and/or slope superintendent, who shall be the agent in charge of the shaft and/or slope operation.

21.2 A certified person shall be in attendance at all times at each shaft and/or slope who has passed an examination given by the Office of Miners' Health, Safety and Training.

These certifications are only for the surface area of the raised bore/blind drilling shaft construction area.

WV Administrative Regulations §36-1-22

Superintendent – Shaft Certification

Criteria for Qualification

- Five (5) years of experience in the workings, ventilation and drainage of a shaft and/or slope, or other
- experience approved by the director.
- Two (2) years of experience in the working place of a shaft and/or slope or be a graduate of an accredited engineering or technology school with a bachelor's degree in mining, electrical, mechanical or civil and have had at least four (4) years of practical experience in the construction of shafts and/or other related experience approved by the director, which shall include at least twenty-four (24) months experience in the working place of shafts and/or slopes.

Examination

- Practical – the applicant must demonstrate his/her knowledge of dangerous mine gases and their detection by completing an examination as may be required of him/her by the Director of Miners' Health, Safety and Training.
- Fee of \$20.00

Reciprocity and/or Exemptions

- None.

Approval Procedures

- **Refer to:** [Administration of Mine Foreman and Supervisory Examinations.](#)