

**Review of the Becker Leaky Feeder Communications System™ Represented by
Wholesale Mine Supply, LLC
for Functionality with
WV Legislative Rule Title 56, Series 4
Governing Protective Clothing and Equipment**

October 31, 2007

After the evaluation of the documentation submitted, the technical reviewers agree that the manufacturer and their representatives, Wholesale Mine Supply, LLC, presented sufficient proof of functionality such as Becker Leaky Feeder Communications System™ would allow WV underground mining permit holders to meet all or part of their requirements for emergency communications and tracking outlined in the West Virginia Legislative Rule Governing Protective Clothing And Equipment, §56-4-8 and these products should be included in the Director’s listing of approved devices.

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

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	unique mining conditions and integration with other systems.
9.13.1. A communication center monitored at all times during which one or more miners are underground.	Wholesale Mine Supply, LLC presented documentation that Becker Leaky Feeder Communications System™ features provide a means for operators to monitor tracking from a central location.
9.13.2. Knowing the location of all miners immediately prior to an event by tracking/locating device in the escape-ways, normal work assignments, or notification of the communication center;	Wholesale Mine Supply, LLC presented documentation that Becker Leaky Feeder Communications System™ provides the ability for installation such that an operator could know the location of miners prior to an event. Demonstrated specific performance is attached. Performance in conditions others than those attached have not been verified by the information presented and require additional submittals.
9.13.3. Knowing the location of miners in the escape-ways after an event providing the tracking system is still functional;	Wholesale Mine Supply, LLC presented documentation that Becker Leaky Feeder Communications System™ provided the ability for operators to develop installations that maximize the likelihood of survivability and provided a means of rapidly re-establishing tracking if lost.
9.13.4. Check-in and check-out with the communication center by miners prior to entrance and exit from bleeders and remote or seldom used areas of the mine (all times shall be logged);	Wholesale Mine Supply, LLC presented documentation that an operator could institute a combination of administrative and technological means for knowing the location of a miner who is outside the coverage of the Becker Leaky Feeder Communications System™ installation.
9.13.5. Allowing two way communications coverage in at least two separate air courses and at least one of which shall be an intake;	Wholesale Mine Supply, LLC presented documentation that Becker Leaky Feeder Communications System™ provided the ability for operators to develop installations that meet this requirement.
9.13.6. Maintaining communication/tracking after loss of outside power and maintain function both inby and outby of the accident event site with suitable supply of equipment for rapid reconnection;	Wholesale Mine Supply, LLC presented documentation that an operator could install Becker Leaky Feeder Communications System™ in a manner such that: <ul style="list-style-type: none"> • Becker Leaky Feeder Communications System™ could provided backup battery power

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	<ul style="list-style-type: none"> • Becker Leaky Feeder Communications System™ could provide alternative tracking communication routing to allow inby miners to communicate with the surface • Becker Leaky Feeder Communications System™ could be deployed in a manner that maximizes survivability • Becker Leaky Feeder Communications System™ could be deployed with a rapid reconnect capability
9.13.8. Allow for communication to surface at all required emergency shelters/chambers;	Wholesale Mine Supply, LLC provided information that an operator could deploy Becker Leaky Feeder Communications System™ in manner that would provide tracking information to the surface from emergency shelters/chambers
9.13.9. All miners and likely emergency responders shall be trained in the use, limitations and inter-operability of all components of the communication and tracking/locating system. This shall be incorporated into ongoing required training. All training shall be recorded and made available upon request;	Wholesale Mine Supply, LLC provided information indicating their ability to aid operators in developing and implementing necessary training.
9.15.3. A statement regarding how the communications/ tracking system will be tested and maintained; and	Wholesale Mine Supply, LLC provided information indicating their ability to aid in the training of operator staff or providing maintenance services