



State of West Virginia
Earl Ray Tomlin, Governor

WV Office of Miners' Health, Safety & Training
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MEMORANDUM

TO: WV Underground Mine Operators
Interested Parties

FROM: C. A. Phillips, Acting Director *CAP*

DATE: June 7, 2011

RE: 22A-2-37(t)(5)

22A-2-37(t)(5) of the West Virginia Code requires "All self-propelled track equipment shall be equipped with two way communications". Recently trolley phones and other similar communication devices on self-propelled track equipment have been replaced in some instances by communication devices required by Title 56 Series 4 of the West Virginia Code of Regulations.

The purpose of this memorandum is to assure that the industry is aware that the mine's telephone system may be utilized as a two way communication system for track mounted vehicles, when any other communication device being utilized to meet the provisions of 22A-2-37(t)(5), are disabled. **PROVIDED THAT: REPAIRS ARE INITIATED IMMEDIATELY AND ARE COMPLETED WITHIN A REASONABLE PERIOD.**

The above is consistent with this agency's enforcement policy regarding disabled trolley phones.

CAP:ks