



STATE OF WEST VIRGINIA

DIVISION OF ENERGY

DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES

1615 WASHINGTON STREET, EAST • CHARLESTON, WEST VIRGINIA 25311 • TELEPHONE: (304) 348-3500 • FAX: (304) 348-2452

GASTON CAPERTON
GOVERNOR

E. W. "WOODY" WAYLAND
COMMISSIONER

M E M O R A N D U M

TO: Inspectors-at-Large

FROM: Bart B. Lay, Jr., Director *BBL*
Health, Safety and Training

DATE: April 24, 1991

SUBJECT: DOE Re: Canopies for Underground Mining Equipment

In accordance with WV Code 22A-2-27 the Director or his authorized representative may require in any coal mine where the height of the coal bed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies or cabs to protect the miners operating such equipment from roof falls and rib or face rolls.

Canopies or cabs shall be considered to be substantially constructed if they meet the guidelines outlined by 30 CFR 1710-1(d), (e), and (f).

This policy shall require that all self-propelled electric face equipment in all coal mines where the bottom to top (mine floor to mine roof) measurements are 42 inches or greater be equipped with cabs or canopies. The following guidelines are to be used relative to the enforcement of this policy:

1. The Division of Energy will accept all decisions rendered by MSHA pertaining to technical evaluation and structural testing of cabs and canopies to insure that they meet minimum standards. The Division of Energy does not have the appropriate equipment, facilities, and personnel to make such determinations.
2. Measurements are to be taken on a section-by-section basis at any given mine.
3. Measurements are to be taken at the minimum height (bottom to top) in the working section provided this minimum height is not a result of poor mining practices. Should this be the case, such measurements is to be disregarded and the minimum height determined from measurements at locations where accepted practices were followed.

April 24, 1991

4. For electric face equipment which is regularly required to travel to other areas of the mine, the minimum height (bottom to top) is to be determined within the area of regular travel.
5. Where the minimum height frequently fluctuates below and above 42 inches, a citation for a violation of this section is not to be issued when such fluctuations below 42 inches would routinely create the necessity to remove cabs or canopies. An evaluation of the minimum height is to be made periodically to determine if such fluctuations still exist. These evaluations should normally be made as a part of a mandated regular mine inspection.
6. Self-propelled electric face equipment which has machine mounted operating controls must be provided with a cab or canopy, as required by this policy, even if equipment is normally operated by remote controls. Self-propelled electric face equipment without machine-mounted controls is not required to have a cab or canopy as long as the operator using the remote controls is located away from the machine being operated. If, at any time, the remote controls are used for tramming or for any other reason, while placed on the equipment, the equipment operator must be protected by a cab or canopy. The cab or canopy must be positioned over the controls on the equipment so that the equipment operator is protected when using machine-mounted controls or when operating the equipment using remote controls placed on the equipment. This section applies only to self-propelled electric face equipment where the equipment operator is using remote controls. The equipment operator, however, must be located under roof that has been permanently supported and be sufficient distance from the equipment to ensure the operator would not be endangered by movement of the equipment.

Therefore, instruct your district inspectors that he is to notify each operator that cab and canopies will be required by DOE as outlined in the above guidelines, in accordance with WV Code 22A-2-27.

BBLjr/ks