



DEPARTMENT OF ENERGY

1616 WASHINGTON STREET, EAST
CHARLESTON, WEST VIRGINIA 25311
TELEPHONE: 348-3500

M E M O R A N D U M

GASTON CAPERTON
GOVERNOR

GEORGE E. DIALS
COMMISSIONER

TO: Inspectors-at-Large

FROM: Bart B. Lay, Jr., Director *BBLjr.*

DATE: January 3, 1990

SUBJECT: Clarification of Department Memo Policy Dated: 10/20/89
on WV Code 22A-2-37(a)

The attached memo, dated October 20, 1989, established criteria for the use of battery-powered, rubber-tired vehicles as "readily available".

This memo is to clarify two points, which are referred to in the 10/20/89 memorandum.

1. The memorandum states that the rubber-tired, readily available vehicle shall be available at all times on the section where miners are working. A section is normally defined as the area inby the dumping point. If a conveyor belt has been recently moved it may be impractical to keep the readily available vehicle inby the dumping point. In this case, the readily available vehicle shall be kept where miners normally load or unload.

2. The memorandum also indicates that the rubber-tired, readily available vehicles may not be used for other purposes on the section. The vehicle may be used for other purposes if the job for which the vehicle is to be used does not render it unavailable. An example of what I am talking about would be loading the vehicle with supplies to a point where it could not be unloaded and made available immediately.

3. Our policy regarding sections, where the readily available transportation is track-mounted, shall remain as it has been.

When such readily available transportation is track-mounted and it becomes necessary to supply such section, it may be moved not to exceed 3,000 feet outby, provided the person removing such means of transportation shall at all times be in contact with a designated person on the working section, either directly or by way of the dispatcher so that he may respond immediately to remove any sick or injured person or persons.

If sections are utilizing loop loading, a readily available vehicle shall be continuously located at a point not to exceed 2,000 feet outby the farthest working face.

BBLjr/ks

Attachment