

Steven L. Cox

From: Terry Farley [tfarley@mines.state.wv.us]
Sent: Friday, June 26, 2009 1:57 PM
To: 'Steven L. Cox'
Subject: FW: Communication...Track Equipment Clarification

From: Terry Farley [mailto:tfarley@mines.state.wv.us]
Sent: Tuesday, April 07, 2009 9:54 AM
To: 'fstinson@mines.state.wv.us'; 'Al Lander'; 'G. Steve Snyder'; 'Eugene'
Cc: 'Ronald L Wooten'; 'caphillips@mines.state.wv.us'
Subject: FW: Communication...Track Equipment Clarification

This email listed below was sent to each of you on November 6, 2009. The email specifies that communication devices which miners will be required to wear on their person will not suffice for compliance with 22A-2-37 (t) (5).

After some consideration we have decided to modify this position. The OMHST will consider communication devices which miners will be required to wear on their person at all times to be acceptable for compliance with 22A-2-37 (t) (5).

Please call if you have questions.

From: Terry Farley [mailto:tfarley@mines.state.wv.us]
Sent: Thursday, November 06, 2008 9:58 AM
To: 'G. Steve Snyder'; 'E. Eugene White'; 'fstinson@mines.state.wv.us'; 'Al Lander'
Cc: 'Ronald L Wooten'; 'caphillips@mines.state.wv.us'
Subject: Communication...Track Equipment

A question regarding the proper interpretation of 22A-2-37(t) (5) has arisen as to whether communication devices carried by miners under the communication & tracking plans will suffice for compliance.

The regulation reads as follows:

"All self propelled track equipment shall be equipped with two-way communication."

22A-2-379 (t) (5) specifies that the track mounted vehicles be "equipped" with two-way communication. Therefore, devices carried by miners will not suffice for compliance.

6/26/2009