



State of West Virginia
Department of Mines
Charleston 25305

JUN 15 1983
DEPT. OF MINES
LOGAN DIVISION

JOHN D. ROCKEFELLER, IV
Governor

WALTER N. MILLER
Director

TO: All Inspectors-at-Large; Assistant Inspectors at Large; District Inspectors; Roof Control Inspectors; Electrical Inspectors, and Safety Inspectors

FROM: Walter N. Miller, Director
West Virginia Department of Mines

SUBJECT: The use of an S & S Uni-Hauler as a mantrip at Dal-Tex Coal Corp., Buffalo No. 6 Mine in Logan County

DATE: June 15, 1983

On April 6, 1983 the Department's Hearing Examiner, R.P. Duranti, Jr., issued a declaratory ruling to an operator of a drift mine concerning the application of Code 22-2-38(a) and (c) to the method of transportation of men from the outside to the working faces. This mine had an approved system of belt conveyors for the transport of miners.

The District Inspector refused to allow the battery-powered Uni-Hauler to be used as mantrip because it was being used to haul coal from the faces to the belt feeder, in the manner of a shuttle car. Code 22-2-38(c) prohibits persons from riding inside shuttle cars.

The operator requested a declaratory ruling, and after a hearing, proposed several safety precautions in order that the Uni-Hauler could be legally used as a mantrip. The operator agreed to:

- (1) Lock the ejector control to prevent it from being operated from the operator's cab;
- (2) Install a metal pin, or bolt through a hole cut through each side of the ejector and the frame of the trailer to prevent ejector from moving;
- (3) Install a quick-coupler on the hydraulic hose to the ejector jack so that pressure to the ejector jack could be disconnected whenever the vehicle was being used as a mantrip; and

- (4) Provide a chain as a restraining device across the back of the trailer to prevent persons from falling out.

Mr. Duranti ruled that if all of these precautions and modifications are taken, the equipment could not be used as a shuttle car. Therefore, when it was modified it couldn't be classified under Code 22-2-38(c) as a shuttle car. The District Inspector is authorized to issue a notice of violation under 22-2-38(c) if persons ride in the trailer of the Uni-Hauler without complying with all four of the precautions and modifications set out in Duranti's order.

Legally, this ruling only applies to the Dal-Tex Coal Corporation, Buffalo #6 Mine. However, you may be confronted with similar situations in your division or district. It is my opinion that the Uni-Hauler in this case could be used as a mantrip because the trailer, set on two wheels, provides a fairly stable and secure vehicle, once the ejector blade is immobilized. This equipment is not similar to the blade of a scoop car. I believe that Code 22-2-38(c) still prohibits persons from riding in the blade of a scoop car.

If an operator makes a similar request to you, please advise him to write a letter to me detailing the type of equipment he wishes to use and what precautions need to be taken. Until approval is granted by the Department no powered coal or supply haulage vehicle should be used as a mantrip.

If you have any questions concerning the declaratory ruling, please contact me.

This is an internal memorandum prepared for use of employees of the West Virginia Department of Mines.

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