2 3 (By Delegates Caputo, Manchin, Longstreth, Poore, Manypenny, Phillips and D. Poling) 4 5 [Introduced January 13, 2011; referred to the 6 7 Committee on Energy, Industry and Labor, 8 Development and Small Business then the Judiciary.] 9 10 A BILL to amend and reenact \$22A-2-43 of the Code of West Virginia, 11 1931, as amended, relating to requiring that cutter heads, 12 long wall shears and other mining machines automatically shutoff when the methane level reaches one percent. 1.3 14 Be it enacted by the Legislature of West Virginia: 15 That §22A-2-43 of the Code of West Virginia, 1931, as amended, 16 be amended and reenacted to read as follows: 17 ARTICLE 2. UNDERGROUND MINES. 18 §22A-2-43. Electric equipment in mines. 19 (a) Methane. -- Electric equipment shall not be taken into or 20 operated in any place where methane can be detected with a flame 21 safety lamp or other approved methane detector at one percent or 22 more at any point not less than twelve inches from the roof, face 23 or rib. (b) Return air. -- In all mines, electric haulage locomotives 24 25 operated from trolley wire and other electrical equipment or

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- 1 devices which may ignite gas shall not be used in return air,
- 2 unless permission is granted by the director for a specified area.
- 3 For the purpose of this provision, air used to ventilate a section
- 4 of a mine shall not be considered return air until such time as the
- 5 air has ventilated all of the workings in the section.
- 6 (c) Qualified person to operate cutting machine. -- No person
- 7 shall be placed in charge of a coal-cutting machine in any mine who
- 8 is not a qualified person, capable of determining the safety of the
- 9 roof and sides of the working places and of detecting the presence
- 10 of explosive gas, unless they are accompanied by a certified or
- 11 qualified person who has passed such an examination.
- 12 (d) Inspections. -- In any mine no machine shall be brought in
- 13 by the last breakthrough next to the working face until the machine
- 14 man shall have made an inspection for gas in the place where the
- 15 machine is to work. If explosive gas in excess of one percent is
- 16 found in the place, the machine shall not be taken in until the
- 17 danger is removed.
- 18 (e) Indication of gas. -- In working places a suitable
- 19 approved apparatus for the detection of explosive gas, shall be
- 20 provided for use with each mining machine when working, and should
- 21 any indication of explosive gas in excess of one percent appear on
- 22 any apparatus used for the detection of explosive gas, the person
- 23 in charge shall immediately stop the machine, cut off the current
- 24 at the nearest switch and report the condition to the mine foreman

- 1 or supervisor. The machine shall not again be started in such 2 place until the condition found has been corrected and been 3 pronounced safe by a certified person.
- 4 (f) Periodic gas examinations. -- No electric equipment shall 5 be operated in a mine for a longer period than twenty minutes 6 without an examination as above described being made for gas; and 7 if gas is found in excess of one percent, the current shall at once 8 be switched off the machine, and the trailing cable shall forthwith 9 be disconnected from the power supply until the place is pronounced 10 safe.
- 11 (g) Operation of mining machines. -- Machine runners and 12 helpers shall use care while operating mining machines. They shall 13 examine the roof of the working place to see that it is safe before 14 starting to operate the machine. They shall not move the machine 15 while the cutter chain is in motion.
- (h) Automatic shut-down of mining machines. -- Mining machine

 17 extraction apparatus, including, but not limited to, long wall

 18 sheers and cutter heads, are required to be equipped with an

 19 automatic shut-off device that will cut off power to the machine's

 20 extraction apparatus, but not to the machine as a whole to

 21 facilitate proper mining procedures, if the methane level in the

 22 mine reaches one percent. The machine's apparatus shall not again

 23 be started in such place until the condition found has been

 24 corrected and been pronounced safe by a certified person.

NOTE: The purpose of this bill is to require cutter heads, long wall shears, and other mining machines to automatically shutoff when the methane level reaches one percent to further protect health and well-being of our states miners.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.