

CHAPTER 71

(HB 458)

AN ACT relating to the examination of mines.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 352.340 is amended to read as follows:

- (1) The mine foreman or his assistants shall visit and carefully examine each working place in the mine at least every four (4) hours while the mine employees are at work. He shall examine as live workings, on regular inspections, all places in live sections that are temporarily abandoned. If the mine foreman finds any place to be in a dangerous condition, he shall not leave the place until it is made safe, or until the employees working therein are removed until the place is made safe. He shall see that every mine liberating explosive gas is kept free of standing gas in all working places and roadways, and that all accumulations of explosive or noxious gases in the worked-out or abandoned portions of any mine are removed as soon as possible after discovery. He shall ensure that all preshift examinations are conducted by a certified person and that examinations of conveyor belts have been conducted. He shall not allow any person who may be endangered by the presence of explosive or noxious gases to enter that portion of the mine until the gases have been removed. He shall direct and see that all dangerous places and the entrances to worked-out and abandoned places in all mines are properly barricaded across the openings, so that no person will enter, and that danger signs are posted upon the barricade to warn persons of existing danger. He shall give prompt attention to the removal of all dangers reported to him by his assistants, the fire boss or any person working in the mine, and if it is impracticable to remove the danger at once he shall notify every person whose safety is menaced thereby to remain away from the portion where the dangerous condition exists.
- (2) ***The mine foreman***~~[He]~~ or his assistants, fire bosses, or other certified persons shall, at least once every week, travel and examine all air courses, escapeways, seals on the return, roads, and openings that give access to old workings or pillar falls, and make a record of the condition of all places where danger has been found. The record shall be made with ink pencil in the record book provided for that purpose.
- (3) ***Examinations of conveyor belts shall be conducted by a certified foreman or a certified belt examiner. A certified belt examiner shall have a total of three (3) years of practical underground mining experience and successfully complete a certification examination administered by the Office of Mine Safety and Licensing. The certification examination shall cover the topics of belt conveyor legal requirements; roof control practices; mine ventilation; mine gases and instruments; fire hazards; and inspection and reporting procedures. The belt examiner also shall demonstrate proficiency in the use of an anemometer, methane detector, and oxygen devices.***

Approved March 28, 2006.