

glance whether the lamp is of the permissible type or not. By it the manufacturer can point out that his lamp complies with specifications of MSHA and that it has been adjudged safe for use in gassy and dusty mines.

(b) *Use of approval plate.* Permission to place MSHA's approval plate on his lamp obligates the manufacturer to maintain the quality of his product and to see that each lamp is constructed according to the drawings which have been accepted by MSHA for this lamp and which are in the MSHA files. Lamps exhibiting changes in design which have not been approved are not permissible lamps and must not bear MSHA's approval plate.

(c) *Withdrawal of approval.* MSHA reserves the right to rescind for cause at any time any approval granted under this part.

[Sched. 10C, May 17, 1938, as amended at 5 FR 3467, Aug. 30, 1940; 43 FR 12314, Mar. 24, 1978]

§20.14 Instructions for handling future changes in lamp design.

All approvals are granted with the understanding that the manufacturer will make the lamp according to the drawings submitted to MSHA, which have been considered and included in the approval. Therefore, when the manufacturer desires to make any change in the design of the lamp, the manufacturer should first obtain an extension of the original approval to cover the change. The procedure is as follows:

(a) The manufacturer shall write to the Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059, requesting an extension of the original approval and describing the change or changes proposed. With this letter, the manufacturer should submit a revised drawing or drawings showing the changes in detail, and one of each of the changed lamp parts.

(b) MSHA will consider the application and inspect the drawings and parts to determine whether it will be necessary to make any tests.

(c) If no tests are necessary, the applicant will be advised of the acceptance or rejection of the proposed change by letter from MSHA.

(d) If tests are judged necessary, the applicant will be advised of the material that will be required.

[Sched. 10C, May 17, 1938, as amended by Supp. 1, 20 FR 2719, Apr. 23, 1955; 43 FR 12314, Mar. 24, 1978; 52 FR 17514, May 8, 1987; 60 FR 35693, July, 11, 1995]

PART 21—FLAME SAFETY LAMPS

Sec.

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AUTHORITY: 30 U.S.C. 957, 961.

SOURCE: Schedule 7C, Aug. 30, 1935, unless otherwise noted.

§21.0 Compliance with the requirements necessary for obtaining approval.

To receive approval of MSHA for any flame safety lamps a manufacturer must comply with the requirements specified in this part.

§21.1 Purpose.

(a) The purpose of investigations under this part is to make available flame lamps that may be safely used for detecting the presence of methane and deficiency of oxygen in mine atmospheres. Lists of such lamps will be published from time to time in order that State mine-inspection departments, compensation bureaus, mine operators, miners, and others interested in safe equipment for the mines may have information regarding permissible flame safety lamps. This part supersedes Schedule 7B, issued September 19, 1922, and goes into effect August 30, 1935.

(b) Any flame safety lamp that meets the requirements of this part will be termed permissible by MSHA and if actively marketed will be listed as such in publications relating to permissible mining equipment.