

electrical parts shall be entirely separate from the examination and testing of dust-collecting equipment as such.

(b) Units with electrical parts designed to operate only outby the last open crosscut in a gassy coal-mine entry, room, or other opening (including electric-drive units with their controls and push buttons) are not required to comply with the provisions of Part 18 of Subchapter D of this chapter (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F).

(c) Units with electrical parts and designed for operation only in nongassy coal mines are not required to comply with the provisions of Part 18 of Subchapter D of this chapter (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F). (See §33.11(b).)

## PART 35—FIRE-RESISTANT HYDRAULIC FLUIDS

### Subpart A—General Provisions

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

SOURCE: Schedule 30, 24 FR 10201, Dec. 17, 1959, unless otherwise noted.

### Subpart A—General Provisions

#### § 35.1 Purpose.

The regulations in this part set forth the requirements for fire-resistant hydraulic fluids and concentrates for the production thereof to procure their certification as approved for use in machines and devices that are operated in coal mines and procedures for applying for such certification.

[Schedule 30, 24 FR 10201, Dec. 17, 1959, as amended at 52 FR 17515, May 8, 1987]

#### § 35.2 Definitions.

As used in this part—

(a) *Permissible*, as applied to hydraulic fluids, means that the fluid conforms to the requirements of this part, and that a certificate of approval to that effect has been issued.

(b) *MSHA* means the United States Department of Labor, Mine Safety and Health Administration.

(c) *Certificate of approval* means a formal document issued by MESA stating that the fluid has met the requirements of this part for fire-resistant hydraulic fluids and authorizing the use of an official identifying marking so indicating.

(d) *Fire-resistant hydraulic fluid* means a fluid of such chemical composition and physical characteristics that it will resist the propagation of flame.

(e) *Concentrate* means a substance in concentrated form that might not be fire resistant as such but when mixed with water or other vehicle in accordance with instructions furnished by the applicant will constitute a fire-resistant hydraulic fluid.

(f) *Applicant* means an individual, partnership, company, corporation, association, or other organization that manufactures, compounds, refines, or otherwise produces, a fire-resistant hydraulic fluid or a concentrate for the production thereof, and seeks a certificate of approval.

[Sched. 30, 24 FR 10201, Dec. 17, 1959, as amended at 39 FR 24005, June 28, 1974; 43 FR 12317, Mar. 24, 1978]

#### § 35.3 Consultation.

By appointment, applicants or their representatives may visit Approval and