

## **§ 75.1716-1**

that a safety zone be established beneath and adjacent to such body of water. No plan shall be approved unless there is a minimum of cover to be determined by the Secretary, based on test holes drilled by the operator in a manner to be prescribed by the Secretary. No such permit shall be required in the case of any new working section of a mine which is located under any water resource reservoir being constructed by a Federal agency on December 30, 1969, the operator of which is required by such agency to operate in a manner that protects the safety of miners working in such section from cave-ins and other hazards.

[35 FR 17890, Nov. 20, 1970, as amended at 60 FR 33723, June 29, 1995]

### **§ 75.1716-1 Operations under water; notification by operator.**

An operator planning to mine coal from coal mines opened after March 30, 1970, or from working sections in mines opened prior to such date, and in such manner that mining operations will be conducted, or tunnels constructed, under any river, stream, lake, or other body of water, shall give notice to the Coal Mine Safety District Manager in the district in which the mine is located prior to the commencement of such mining operations.

### **§ 75.1716-2 Permit required.**

If in the judgment of the Coal Mine Safety District Manager the proposed mining operations referred to in § 75.1716-1 constitute a hazard to miners, he shall promptly so notify the operator that a permit is required.

### **§ 75.1716-3 Applications for permits.**

An application for a permit required under this section shall be filed with the Coal Mine Safety District Manager and shall contain the following general information:

- (a) Name and address of the company.
- (b) Name and address of the mine.
- (c) Projected mining and ground support plans.
- (d) A mine map showing the locations of the river, stream, lake, or other body of water and its relation to the location of all working places.

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(e) A profile map showing the type of strata and the distance in elevation between the coal bed and the river, stream, lake or other body of water involved. The type of strata shall be determined by core test drill holes as prescribed by the Coal Mine Safety District Manager.

### **§ 75.1716-4 Issuance of permits.**

If the Coal Mine Safety District Manager determines that the proposed mining operations under water can be safely conducted, he shall issue a permit for the conduct of such operations under such conditions as he deems necessary to protect the safety of miners engaged in those operations.

### **§ 75.1717 Exemptions.**

[STATUTORY PROVISIONS]

No notice under § 75.1716-1 and no permit under § 75.1716-2 shall be required in the case of any new working section of a mine which is located under any water resource reservoir being constructed by a Federal agency as of December 30, 1969, and where the operator is required by such agency to operate in a manner that adequately protects the safety of miners.

### **§ 75.1718 Drinking water.**

[STATUTORY PROVISIONS]

An adequate supply of potable water shall be provided for drinking purposes in the active workings of the mine, and such water shall be carried, stored, and otherwise protected in sanitary containers.

### **§ 75.1718-1 Drinking water; quality.**

- (a) Potable water provided in accordance with the provisions of § 75.1718 shall meet the applicable minimum health requirements for drinking water established by the State or community in which the mine is located.
- (b) Where no state or local health requirements apply to drinking water or where no state or local minimum health requirements exist, drinking water provided in accordance with the provisions of § 75.1718 shall contain a minimum of 0.2 milligrams of free chlorine per liter of water.