

Mine Safety and Health Admin., Labor

§ 49.2

have received the instruction required by this section.

[43 FR 47459, Oct. 13, 1978, as amended at 47 FR 23641, May 28, 1982]

§ 48.32 Appeals procedures.

The operator, miner, and miners' representative shall have the right of appeal from a decision of the District Manager.

(a) In the event an operator, miner, or miners' representative decides to appeal a decision by the District Manager, such an appeal shall be submitted, in writing, to the Administrator for Coal Mine Safety and Health or Administrator for Metal and Nonmetal Safety and Health, as appropriate, MSHA, 1100 Wilson Blvd., Room 2424 (Coal) or Room 2436 (Metal and Nonmetal), Arlington, Virginia, 22209-3939, within 30 days of notification of the District Manager's decision.

(b) The Administrator may require additional information from the operator, the miners or their representatives, and the District Manager, if the Administrator determines such information is necessary.

(c) The Administrator shall render a decision on the appeal within 30 days after receipt of the appeal.

[43 FR 47459, Oct. 13, 1978, as amended at 47 FR 23641, May 28, 1982; 67 FR 38384, June 4, 2002]

PART 49—MINE RESCUE TEAMS

Subpart A—Mine Rescue Teams for Underground Metal and Nonmetal Mines

Sec.

- 49.1 Purpose and scope.
- 49.2 Availability of mine rescue teams.
- 49.3 Alternative mine rescue capability for small and remote mines.
- 49.4 Alternative mine rescue capability for special mining conditions.
- 49.5 Mine rescue station.
- 49.6 Equipment and maintenance requirements.
- 49.7 Physical requirements for mine rescue team.
- 49.8 Training for mine rescue teams.
- 49.9 Mine emergency notification plan.

Subpart B—Mine Rescue Teams for Underground Coal Mines

- 49.11 Purpose and scope.
- 49.12 Availability of mine rescue teams.

49.13 Alternative mine rescue capability for small and remote mines.

49.14 [Reserved]

49.15 Mine rescue station.

49.16 Equipment and maintenance requirements.

49.17 Physical requirements for mine rescue team.

49.18 Training for mine rescue teams.

49.19 Mine emergency notification plan.

49.20 Requirements for all coal mines.

49.30 Requirements for small coal mines.

49.40 Requirements for large coal mines.

49.50 Certification of coal mine rescue teams.

49.60 Requirements for a local mine rescue contest.

APPENDIX TO SUBPART B—OPTIONAL FORM FOR CERTIFYING MINE RESCUE TEAMS

AUTHORITY: 30 U.S.C. 811, 825(e).

SOURCE: 45 FR 47002, July 11, 1980, unless otherwise noted.

Subpart A—Mine Rescue Teams for Underground Metal and Nonmetal Mines

§ 49.1 Purpose and scope.

This part implements the provisions of Section 115(e) of the Federal Mine Safety and Health Act of 1977. Every operator of an underground mine shall assure the availability of mine rescue capability for purposes of emergency rescue and recovery.

§ 49.2 Availability of mine rescue teams.

(a) Except where alternative compliance is permitted for small and remote mines (§ 49.3) or those mines operating under special mining conditions (§ 49.4), every operator of an underground mine shall:

(1) Establish at least two mine rescue teams which are available at all times when miners are underground; or

(2) Enter into an arrangement for mine rescue services which assures that at least two mine rescue teams are available at all times when miners are underground.

(b) Each mine rescue team shall consist of five members and one alternate, who are fully qualified, trained, and equipped for providing emergency mine rescue service.

(c) To be considered for membership on a mine rescue team, each person