

(c) In addition to the minimum requirements specified in paragraphs (a) and (b) of this § 75.1712-3, facilities maintained in accordance with § 75.1712-1 shall include the following:

(1) *Bathing facilities.* (i) Showers shall be provided with both hot and cold water.

(ii) At least one shower head shall be provided where five or less miners use such showers.

(iii) Where five or more miners use such showers, sufficient showers shall be furnished to provide approximately one shower head for each five miners.

(iv) A suitable cleansing agent shall be provided for use at each shower.

(2) *Sanitary toilet facilities.* (i) At least one sanitary flush toilet shall be provided where 10 or less miners use such facilities.

(ii) Where 10 or more miners use such sanitary toilet facilities, sufficient toilets shall be furnished to provide approximately one sanitary flush toilet for each 10 miners.

(iii) Where 30 or more miners use sanitary toilet facilities, one urinal may be substituted for one sanitary flush toilet, however, where such substitutions are made they shall not reduce the number of toilets below a ratio of two toilets to one urinal.

(iv) An adequate supply of toilet paper shall be provided with each toilet.

(v) Adequate handwashing facilities or hand lavatories shall be provided in or adjacent to each toilet facility.

(3) *Change rooms.* (i) Individual clothes storage containers or lockers shall be provided for storage of miners clothing and other incidental personal belongings during and between shifts.

(ii) Change rooms shall be provided with ample space to permit the use of such facilities by all miners changing clothes prior to and after each shift.

§ 75.1712-4 Waiver of surface facilities requirements.

The Coal Mine Safety District Manager for the district in which the mine is located may, upon written application by the operator, waive any or all of the requirements of §§ 75.1712-1 through 75.1712-3 if he determines that the operator of the mine cannot or need not meet any part or all of such

requirements, and, upon issuance of such waiver, he shall set forth the facilities which will not be required and the specific reason or reasons for such waiver.

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

§ 75.1712-5 Application for waiver of surface facilities.

Applications for waivers of the requirements of §§ 75.1712-1 through 75.1712-3 shall be filed with the Coal Mine Safety District Manager and shall contain the following information:

(a) The name and address of the mine operator;

(b) The name and location of the mine;

(c) A statement explaining why, in the opinion of the operator, the installation or maintenance of the facilities is impractical or unnecessary.

§ 75.1712-6 Underground sanitary facilities; installation and maintenance.

(a) Except as provided in § 75.1712-7, each operator of an underground coal mine shall provide and maintain one sanitary toilet in a dry location under protected roof, within 500 feet of each working place in the mine where miners are regularly employed during the mining cycle. A single sanitary toilet may serve two or more working places in the same mine, if it is located within 500 feet of each such working place.

(b) Sanitary toilets shall have an attached toilet seat with a hinged lid and a toilet paper holder together with an adequate supply of toilet tissue, except that a toilet paper holder is not required for an unenclosed toilet facility.

(c) Only flush or nonflush chemical or biological toilets, sealed bag toilets, and vault toilets meet the requirements of this section. Privies and combustion or incinerating toilets are prohibited underground.

[68 FR 37087, June 23, 2003]

§ 75.1712-7 Underground sanitary facilities; waiver of requirements.

If it has been determined by the Coal Mine Safety District Manager for the district in which the mine is located that sanitary toilets cannot be provided and maintained within 500 feet of