

VOSH PROGRAM DIRECTIVE: 12-234C**ISSUED: 01 February 2016****SUBJECT: Underground Construction Standard, §1926.800****Purpose**

This Directive transmits to field personnel:

- the adoption of the federal-identical standard for Underground Construction, §1926.800, and
- informs field personnel of the repeal of the Virginia Unique Underground Construction Standard, 16VAC25-150 (§1926.800).

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

Scope

This directive applies VOSH-wide.

Reference

29 CFR 1926.800

Cancellation

VOSH Program Directive 12-234B (15 February 1994)

Effective Date

01 February 2016

Action

Directors and Managers shall ensure that policies and procedures established in this directive are uniformly enforced and field personnel understand and comply with the requirements included in this directive.

Expiration Date

Not Applicable.

C. Ray Davenport

Commissioner

Distribution: Commissioner of Labor and Industry
Assistant Commissioner
VOSH Directors and Managers
Legal Support & IMIS Support Staffs

Cooperative Programs Manager
VOSH Compliance & Cooperative Programs Staff
OSHA Region III & Norfolk Area Offices

Attachment: 16VAC25-175-1926.800, Underground Construction, 1926.800

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10790
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I. Background.

On March 23, 1987, the Safety and Health Codes Board (the Board) adopted the Virginia Unique Confined Space Standard for General Industry and the Construction Industry, §1910.146, under the full notice and comment procedures provided by the Virginia Administrative Process Act. The start-up date for enforcement of §1910.146 was January 1, 1988. On June 2, 1989, federal OSHA published in the Federal Register the Underground Construction Standard, 29 CFR 1926.800. The standard is performance-oriented and seeks to clarify the existing 17-year old standard (formerly titled "Tunnels and Shafts"), cover hazards not effectively addressed previously, and reflect current technology and methods used in underground construction. (54 FR 23824)

On October 3, 1989, the Virginia Occupational Safety and Health Codes Board adopted a substantially identical version of federal OSHA's Underground Construction Standard, 29 CFR 1926.800. The Board amended the federal version of the standard to reference the additional requirements contained in the Virginia Occupational Safety and Health (VOSH) Confined Space Standard for General Industry and the Construction Industry, §1910.1466; thereby, making this standard a Virginia unique standard. The amendments only served to reference requirements in §1910.146 which were already applicable to underground construction areas meeting the definition of "confined space." The amendments were adopted to assure consistency and uniformity between the requirements for work in "confined spaces" contained in the new §1926.800 and the already existing §1910.146.

On June 21, 1993, the Board adopted the new federal-identical Permit-Required Confined Spaces Standard for General Industry, §1910.146. Prior to this adoption, the scope of the Virginia Unique Confined Space Standard extended to both general industry and the construction industry. As a result of this adoption, the Virginia unique Confined Space Standard for General Industry and the Construction Industry, §1910.146, was renamed the "Virginia Confined Space Standard for the Construction Industry, CNSP.146," and remained in effect for the construction industry only. The Virginia effective date was September 1, 1993.

On May 4, 2015, federal OSHA published in the Federal Register its new comprehensive Confined Spaces in Construction final rule (80 FR 25365), which the Safety and Health Codes Board ("the Board") adopted on October 29, 2015, with an effective date of January 1, 2016. Since 1989, VOSH has been enforcing the Virginia Unique Standard for Underground Construction which was substantially identical to the federal version of the Underground Construction standard, except for the reference to the additional requirements in the Virginia Unique Confined Space in Construction standard. The adoption of the new Confined Spaces in Construction standard necessitated the repeal of the following Virginia Unique Standards: Virginia Confined Space Standard for the Construction Industry, 16VAC25-140, the Virginia Underground Construction, Construction Industry Standard, 16VAC25-150, and the Virginia Excavation Standard, Construction Industry, 16VAC25-170-10.

At its October 29, 2015 meeting, the Board adopted the new federal final rule on Confined Spaces in Construction, §§1926.1200 – 1926.1213. In conjunction with this adoption, the existing federal standards for Excavation, §1926.650, and Underground Construction, §1926.800, were also adopted to provide consistency with the new federal final rule on Confined Spaces in Construction.

The adoption of the existing federal standards for §§1926.650 and 1926.800 then necessitated the repeal of the two existing Virginia unique regulations covering these topics that had been in force: 16VAC25-150, Underground Construction Standard and 16 VAC25-170, Excavation Standard, in order to maintain citation uniformity and support the "as effective as" program requirements mandated by the state plan agreement.

II. Summary.

The standard clarifies the type of operations covered, e.g. , cut-and-cover operations. It addresses such areas as access and egress; check-in/check-out procedures; safety training , e.g., nine point safety program; notification to on-coming shift about hazardous conditions; emergency provisions, e.g., hoisting equipment; work in "gassy" operations, e.g., monitoring air quality; ventilation; fire prevention; welding, cutting and hot work; blasting and drilling; and electrical safety and hoisting.

III. Changes to Coding.

Coding for citations will change from Virginia unique to federal-identical coding. The previous 16VAC25-150 will now be cited as a federal-identical.

Underground Construction, §1926.800; Final Rule

As Adopted by the
Safety and Health Codes Board

Date: October 29, 2015



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: January 1, 2016

16VAC25-175-1926.800, Underground Construction, §1926.800

When the regulations, as set forth in the Underground Construction regulation, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

June 2, 1989

January 1, 2016

UNDERGROUND CONSTRUCTION, CONSTRUCTION INDUSTRY (June 2, 1989)

Underground construction; in general (29 CFR 1926.800)

- (a) Scope and application.
 - (1) This section applies to the construction of underground tunnels, shafts, chambers, and passageways. This section also applies to cut-and-cover excavations which are both physically connected to ongoing underground construction operations within the scope of this section, and covered in such a manner as to create conditions characteristic of underground construction.
 - (2) This section does not apply to the following:
 - (i) Excavation and trenching operations covered by Subpart P of this part, such as foundation operations for above-ground structures that are not physical connected to underground construction operations, and surface excavation: nor
 - (ii) Underground electrical transmission and distribution lines, as addressed in Subpart V of this part.
- (b) Access and egress.
 - (1) The employer shall provide and maintain safe means of access and egress to all work stations.
 - (2) The employer shall provide access and egress in such a manner that employees are protected from being struck by excavators, haulage machines, trains and other mobile equipment.
 - (3) The employer shall control access to all openings to prevent unauthorized entry underground. Unused chutes, manways, or other openings shall be tightly covered, bulkheaded, or fenced off, and shall be posted with warning signs indicating "Keep Out" or similar language. Completed or unused sections of the underground facility shall be barricaded.
- (c) Check-in/check-out. The employer shall maintain a check-in/check-out procedure that will ensure that above-ground personnel can determine an accurate count of the number of persons underground in the event of an emergency. However, this procedure is not required when the construction of underground facilities designed for human occupancy has been sufficiently completed so that the permanent environmental controls are effective, and when the remaining construction activity will not cause any environmental hazard or structural failure within the facilities.
- (d) Safety instruction. All employees shall be instructed in the recognition and avoidance of hazards associated with underground construction activities including, where appropriate, the following subjects:
 - (1) Air monitoring:
 - (2) Ventilation:
 - (3) Illumination
 - (4) Communications:
 - (5) Flood control:

- (6) Mechanical equipment:
- (7) Personal protective equipment:
- (8) Explosives:
- (9) Fire prevention and protection: and
- (10) Emergency procedures, including evacuation plans and check- in/check-out systems

(e) Notification.

- (1) Oncoming shifts shall be informed of any hazardous occurrences or conditions that have affected or might affect employee safety, including liberation of gas, equipment failures, earth or rock slides, cave-ins, floodings, fires or explosions.
- (2) The employer shall establish and maintain direct communications for coordination of activities with other employers whose operations at the jobsite affect or may affect the safety of employees underground.

(f) Communications.

- (1) When natural unassisted voice communication is ineffective, a power-assisted means of voice communication shall be used to provide communication between the work face, the bottom of the shaft, and the surface.
- (2) Two effective means of communication, at least one of which shall be voice communication, shall be provided in all shafts which are being developed or used either for personnel access or for hoisting. Additional requirements for hoist operator communications are contained in paragraph (t)(3)(xiv) of this section.
- (3) Powered communication systems shall operate on an independent power supply, and shall be installed so that the use of or disruption of any one phone or signal location will not disrupt the operation of the system from any other location.
- (4) Communication systems shall be tested upon initial entry of each shift to the underground, and as often as necessary at later times, to ensure that they are in working order.
- (5) Any employee working alone underground in a hazardous location, who is both out of the range of natural unassisted voice communication and not under observation by other persons, shall be provided with an effective means of obtaining assistance in an emergency.

(g) Emergency provisions.

- (1) Hoisting capability. When a shaft is used as a means of egress, the employer shall make advance arrangements for power-assisted hoisting capability to be readily available in an emergency, unless the regular hoisting means can continue to function in the event of an electrical power failure at the jobsite. Such hoisting means shall be designed so that the load hoist drum is powered in both directions of rotation and so that the brake is automatically applied upon power release or failure.

- (2) Self-rescuers. The employer must provide self-rescuers approved by the National Institute for Occupational Safety and Health under 42 CFR part 84. The respirators must be immediately available to all employees at work stations in underground areas where employees might be trapped by smoke or gas. The selection, issuance, use, and care of respirators must be in accordance with 29 CFR 1926.103.
- (3) Designated person. At least one designated person shall be on duty above ground whenever any employee is working underground. This designated person shall be responsible for securing immediate aid and keeping an accurate count of employees underground in case of emergency. The designated person must not be so busy that the counting function is encumbered.
- (4) Emergency lighting. Each employee underground shall have an acceptable portable hand lamp or cap lamp in his or her work area for emergency use, unless natural light or an emergency lighting system provides adequate illumination for escape.
- (5) Rescue teams.
 - (i) On jobsites where 25 or more employees work underground at one time, the employer shall provide (or make arrangements in advance with locally available rescue services to provide) at least two 5-person rescue teams, one on the jobsite or within one-half hour travel time from the entry point, and the other within 2 hours travel time.
 - (ii) On jobsites where less than 25 employees work underground at one time, the employer shall provide (or make arrangements in advance with locally available rescue services to provide) at least one 5-person rescue team to be either on the jobsite or within one-half hour travel time from the entry point.
 - (iii) Rescue team members shall be qualified in rescue procedures, the use and limitations of breathing apparatus, and the use of firefighting equipment. Qualifications shall be reviewed not less than annually.
 - (iv) On jobsites where flammable or noxious gases are encountered or anticipated in hazardous quantities, rescue team members shall practice donning and using self-contained breathing apparatus monthly.
 - (v) The employer shall ensure that rescue teams are familiar with conditions at the jobsite.
- (h) Hazardous classifications.
 - (1) Potentially gassy operations. Underground construction operations shall be classified as potentially gassy if either:
 - (i) Air monitoring discloses 10 percent or more of the lower explosive limit for methane or other flammable gases measured at 12 inches (304.8 mm) to + or - 0.25 inch (6.35 mm) from the roof, face, floor or walls in any underground work area for more than a 24-hour period: or

(ii) The history of the geographical area or geological formation indicates that 10 percent or more of the lower explosive limit for methane or other flammable gases is likely to be encountered in such underground operations.

(2) Gassy operations. Underground construction operations shall be classified as gassy if:

(i) Air monitoring discloses 10 per cent or more of the lower explosive limit for methane or other flammable gases measured at 12 inches (304.8 mm) + or - inch (6.35 mm) from the roof, face, floor or walls in any underground work area for three consecutive days: or

(ii) There has been an ignition of methane or of other flammable gases emanating from the strata that indicates the presence of such gases: or

(iii) The underground construction operation is both connected to an underground work area which is currently classified as gassy and is also subject to a continuous course of air containing the flammable gas concentration.

(3) Declassification to potentially gassy operations. Underground construction gassy operations may be declassified to Potentially Gassy when air monitoring results remain under 10 percent of the lower explosive limit for methane or other flammable gases for three consecutive days.

(i) Gassy operations-additional requirements.

(1) Only acceptable equipment, maintained in suitable condition, shall be used in gassy operations.

(2) Mobile diesel-powered equipment used in gassy operation shall be either approved in accordance with the requirement of 30 CFR Part 36 (formerly Schedule 31) by MSHA, or shall be demonstrated by the employer to be fully equivalent to such MSHA-approved equipment, and shall be operated in accordance with that part.

(3) Each entrance to a gassy operation shall be prominently posted with signs notifying all entrants of the gassy classification.

(4) Smoking shall be prohibited in all gassy operations and the employer shall be responsible for collecting all personal sources of ignition, such as matches and lighters, from all persons entering a gassy operation.

(5) A fire watch as described in 1926.352(e) shall be maintained when hot work is performed.

(6) Once an operation has met the criteria in paragraph (h)(2) warranting classification as gassy, all operations in the affected area, except the following shall be discontinued until the operation either is in compliance with all of the gassy operation requirements or has been declassified in accordance with paragraph (h)(3) of this section:

(i) Operations related to the control of the gas concentration:

- (ii) Installation of new equipment, or conversion of existing equipment to comply with this paragraph (i): and
- (iii) Installation of above-ground controls for reversing the air flow.

(j) Air quality and monitoring.

(1) General. Air quality limits and control requirements for construction are found in 1926.55, except as modified by this section:

(i)[A] The employer shall assign a competent person who shall perform all air monitoring required by this section.

[B] Where this paragraph requires monitoring of airborne contaminants "as often as necessary," the competent person shall make a reasonable determination as to which substances to monitor and how frequently monitor, considering at least the following factors:

- [1] Location of jobsite: Proximity to fuel tanks, sewers, gas lines, old landfills, coal deposits, and swamps;
- [2] Geology: Geological studies of the jobsite, particularly involving the soil type and its permeability;
- [3] History: Presence of air contaminants in nearby jobsites, changes in levels of substances monitored on the prior shift; and
- [4] Work practices and jobsite conditions: The use of diesel engines, use of explosives, use of fuel gas, volume and flow of ventilation, visible atmospheric conditions, decompression of the atmosphere, welding, cutting and hot work, and employees' physical reactions to working underground.

(ii)[A] The atmosphere in all underground work areas shall be tested as often as necessary to assure that the atmosphere at normal atmospheric pressure contains at least 19.5 percent oxygen and no more than 22 percent oxygen.

[B] Tests for oxygen content shall be made before tests for air contaminants.
1926.800(j)(1)(iii)

(iii)[A] The atmosphere in all underground work areas shall be tested quantitatively for carbon monoxide, nitrogen dioxide, hydrogen sulfide, and other toxic gases, dusts, vapors, mists, and fumes as often as necessary to ensure that the permissible exposure limits prescribed in 1926.55 are not exceeded.

[B] The atmosphere in all underground work areas shall be tested quantitatively for methane and other flammable gases as often as necessary to determine:

- [1] Whether action is to be taken under paragraphs (j)(1)(vii), (viii), and (ix), of this section; and
 - [2] Whether an operation is to be classified potentially gassy or gassy under paragraph (h) of this section.
- [C] If diesel-engine or gasoline-engine driven ventilating fans or compressors are used, an initial test shall be made of the inlet air of the fan or compressor, with the engines operating, to ensure that the air supply is not contaminated by engine exhaust.
- [D] Testing shall be performed as often as necessary to ensure that the ventilation requirements of paragraph (k) of this section are met.
- (iv) When rapid excavation machines are used, a continuous flammable gas monitor shall be operated at the face with the sensor(s) placed as high and close to the front of the machine's cutter head as practicable.
- (v)[A] Whenever air monitoring indicates the presence of 5 ppm or more of hydrogen sulfide, a test shall be conducted in the affected underground work area(s), at least at the beginning and midpoint of each shift, until the concentration of hydrogen sulfide has been less than 5 ppm for 3 consecutive days.
- [B] Whenever hydrogen sulfide is detected in an amount exceeding 10 ppm, a continuous sampling and indicating hydrogen sulfide monitor shall be used to monitor the affected work area.
- [C] Employees shall be informed when a concentration of 10 ppm hydrogen sulfide is exceeded.
- [D] The continuous sampling and indicating hydrogen sulfide monitor shall be designed, installed, and maintained to provide a visual and aural alarm when the hydrogen sulfide concentration reaches 20 ppm to signal that additional measures, such as respirator use, increased ventilation, or evacuation, might be necessary to maintain hydrogen sulfide exposure below the permissible exposure limit.
- (vi) When the competent person determines, on the basis of air monitoring results or other information, that air contaminants may be present in sufficient quantity to be dangerous to life, the employer shall:
- [A] Prominently post a notice at all entrances to the underground jobsite to inform all entrants of the hazardous condition; and
 - [B] Ensure that the necessary precautions are taken.
- (vii) Whenever five percent or more of the lower explosive limit for methane or other flammable gases is detected in any underground work area(s) or in the air return, steps shall be taken to increase ventilation air volume or otherwise control the gas concentration, unless the employer is operating in accordance with the potentially gassy or gassy operation requirements. Such

Additional ventilation controls may be discontinued when gas concentrations are reduced below five percent of the lower explosive limit, but shall be reinstated whenever the five percent level is exceeded.

- (viii) Whenever 10 percent or more of the lower explosive limit for methane or other flammable gases is detected in the vicinity of welding, cutting, or other hot work, such work shall be suspended until the concentration of such flammable gas is reduced to less than 10 percent of the lower explosive limit.
- (ix) Whenever 20 percent or more of the lower explosive limit for methane or other flammable gases is detected in any underground work area(s) or in the air return:
 - [A] All employees, except those necessary to eliminate the hazard, shall be immediately withdrawn to a safe location above ground; and
 - [B] Electrical power, except for acceptable pumping and ventilation equipment, shall be cut off to the area endangered by the flammable gas until the concentration of such gas is reduced to less than 20 percent of the lower explosive limit.
- (2) Additional monitoring for potentially gassy and gassy operation. Operations which meet the criteria for potentially gassy and gassy operations set forth in paragraph (h) of this section shall be subject to the additional monitoring requirements of this paragraph.
 - (i) A test for oxygen content shall be conducted in the affected underground work areas and work areas immediately adjacent to such areas at least at the beginning and midpoint of each shift.
 - (ii) When using rapid excavation machines, continuous automatic flammable gas monitoring equipment shall be used to monitor the air at the heading, on the rib, and in the return air duct. The continuous monitor shall signal the heading, and shut down electric power in the affected underground work area, except for acceptable pumping and ventilation equipment, when 20 percent or more of the lower explosive limit for methane or other flammable gases encountered.
 - (iii) A manual flammable gas monitor shall be used as needed, but at least at the beginning and midpoint of each shift, to ensure that the limits prescribed in paragraphs (h) and (j) are not exceeded. In addition a manual electrical shut down control shall be provided near the heading.
 - (iv) Local gas tests shall be made prior to and continuously during any welding, cutting or other hot work.
 - (v) In underground operations driven by drill-and-blast methods, the air in the affected area shall be tested for flammable gas prior to re-entry after blasting, and continuously when employees are working underground.
- (3) Recordkeeping. A record of all air quality tests shall be maintained above ground at the worksite and be made available to the Secretary of Labor upon request. The record shall include the location, date, time, substance and amount monitored. Records of exposures to toxic substances shall be retained in

accordance with 1926.33 of this chapter. All other air quality test records shall be retained until completion of the project.

(k) Ventilation.

- (1)(i) Fresh air shall be supplied to all underground work areas in sufficient quantities to prevent dangerous or harmful accumulation of dusts, fumes, mists, vapors or gases.
- (ii) Mechanical ventilation shall be provided in all underground work areas except when the employer can demonstrate that natural ventilation provides the necessary air quality through sufficient air volume and air flow.
- (2) A minimum of 200 cubic feet (5.7 m³) of fresh air per minute shall be supplied for each employee underground.
- (3) The linear velocity of air flow in the tunnel bore, in shafts, and in all other underground work areas shall be at least 30 feet (9.15 m) per minute where blasting or rock drilling is conducted, or where other conditions likely to produce dust, fumes, mists, vapors, or gases in harmful or explosive quantities are present.
- (4) The direction of mechanical air flow shall be reversible.
- (5) Following blasting, ventilation systems shall exhaust smoke and fumes to the outside atmosphere before work is resumed in affected areas.
- (6) Ventilation doors shall be designed and installed so that they remain closed when in use, regardless of the direction of the air flow.
- (7) When ventilation has been reduced to the extent that hazardous levels of methane or flammable gas may have accumulated, a competent person shall test all affected areas after ventilation has been restored and shall determine whether the atmosphere is within flammable limits before any power, other than for acceptable equipment, is restored or work is resumed.
- (8) Whenever the ventilation system has been shut down with all employees out of the underground area, only competent persons authorized to test for air contaminants shall be allowed underground until the ventilation has been restored and all affected areas have been tested for air contaminants and declared safe.
- (9) When drilling rock or concrete, appropriate dust control measures shall be taken to maintain dust levels within limits set in 1926.65. Such measures may include, but are not limited to, wet drilling, the use of vacuum collectors, and water mix spray systems.
- (10)(i) Internal combustion engines, except diesel-powered engines on mobile equipment, are prohibited underground.
- (ii) Mobile diesel-powered equipment used underground in atmospheres other than gassy operations shall be either approved by MSHA in accordance with the provisions of 30 CFR Part 32 (formerly Schedule 24),

or shall be demonstrated by the employer to be fully equivalent to such MSHA-approved equipment, and shall be operated in accordance with that Part. (Each brake horsepower of a diesel engine requires at least 100 cubic feet (28.32 m³) of air per minute for suitable operation in addition to the air requirements for personnel. Some engines may require a greater amount of air to ensure that the allowable levels of carbon monoxide, nitric oxide, and nitrogen dioxide are not exceeded.)

- (11) Potentially gassy or gassy operations shall have ventilation systems installed which shall:
 - (i) Be constructed of fire-resistant materials; and
 - (ii) Have acceptable electrical systems, including fan motors.
 - (12) Gassy operations shall be provided with controls located above ground for reversing the air flow of ventilation systems.
 - (13) In potentially gassy or gassy operations, wherever mine-type ventilation systems using an offset main fan installed on the surface are used, they shall be equipped with explosion-doors or a weak-wall having an area at least equivalent to the cross-sectional area of the airway.
- (l) Illumination.
- (1) Illumination requirements applicable to underground construction operations are found in Table D-3 of 1926.56 of this part.
 - (2) Only acceptable portable lighting equipment shall be used within 50 feet (15.24 m) of any underground heading during explosives handling.
- (m) Fire prevention and control. Fire prevention and protection requirements applicable to underground construction operations are found in Subpart F of this part, except as modified by the following additional standards.
- (1) Open flames and fires are prohibited in all underground construction operations except as permitted for welding, cutting and other hot work operations in paragraph (n) of this section.
 - (2)(i) Smoking may be allowed only in areas free of fire and explosion hazards.
 - (ii) Readily visible signs prohibiting smoking and open flames shall be posted in areas having fire explosion hazards.
 - (3) The employer may store underground no more than a 24-hour supply of diesel fuel for the underground equipment used at the worksite.
 - (4) The piping of diesel fuel from the surface to an underground location is permitted only if:
 - (i) Diesel fuel is contained at the surface in a tank whose maximum capacity is no more than the amount of fuel required to supply for a 24-hour period the equipment serviced by the

- underground fueling station; and
- (ii) The surface tank is connected to the underground fueling station by an acceptable pipe or hose system that is controlled at the surface by a valve, and at the shaft bottom by a hose nozzle; and
 - (iii) The pipe is empty at all times except when transferring diesel fuel from the surface tank to a piece of equipment in use underground; and
 - (iv) Hoisting operations in the shaft are suspended during refueling operations if the supply piping in the shaft is not protected from damage.
- (5)(i) Gasoline shall not be carried, stored, or used underground.
- (ii) Acetylene, liquefied petroleum gas, and Methylacetylene Propadiene Stabilized gas may be used underground only for welding, cutting and other hot work, and only in accordance with Subpart J of this part, and paragraphs (j), (k), (m), and (n) of this section.
- (6) Oil, grease, and diesel fuel stored underground shall be kept in tightly sealed containers in fire-resistant areas at least 300 feet (91.44m) from underground explosive magazines, and at least 100 feet (30.44m) from shaft stations and steeply inclined passageways. Storage areas shall be positioned or diked so that the contents of ruptured or overturned containers will not flow from the storage area.
- (7) Flammable or combustible materials shall not be stored above ground within 100 feet (30.48m) of any access opening to any underground operation. Where this is not feasible because of space limitations at the jobsite, such materials may be located within the 100-foot limit, provided that:
- (i) They are located as far as practicable from the opening; and
 - (ii) Either a fire-resistant barrier of not less than one-hour rating is placed between the stored material and the opening, or additional precautions are taken which will protect the materials from ignition sources.
- (8) Fire-resistant hydraulic fluids shall be used in hydraulically-actuated underground machinery and equipment unless such equipment is protected by a fire suppression system or by multipurpose fire extinguisher(s) rated at of sufficient capacity for the type and size of hydraulic equipment involved, but rated at least 4A:40B:C.
- (9)(i) Electrical installations in underground areas where oil, grease, or diesel fuel are stored shall be used only for lighting fixtures.
- (ii) Lighting fixtures in storage areas, or within 25 feet (7.62 m) of underground areas where oil, grease, or diesel fuel are stored, shall be approved for Class I, Division 2 locations, in accordance with Subpart K of this part.
- (10) Leaks and spills of flammable or combustible fluids shall be cleaned up immediately.
- (11) A fire extinguisher of at least 4A:40B:C rating or other equivalent extinguishing means shall be provided

at the head pulley and at the tail pulley of underground belt conveyers.

- (12) Any structure located underground or within 100 feet (30.48 m) of an opening to the underground shall be constructed of material having a fire-resistance rating of at least one hour.
- (n) Welding, cutting, and other hot work. In addition to the requirements of Subpart J of this part, the following requirements shall apply to underground welding, cutting, and other hot work.
 - (1) No more than the amount of fuel gas and oxygen cylinders necessary to perform welding, cutting, or other hot work during the next 24-hour period shall be permitted underground.
 - (2) Noncombustible barriers shall be installed below welding, cutting, or other hot work being done in or over a shaft or raise.
- (o) Ground support.
 - (1) Portal areas. Portal openings and access areas shall be guarded by shoring, fencing, head walls, shotcreting or other equivalent protection to ensure safe access of employees and equipment. Adjacent areas shall be scaled or otherwise secured to prevent loose soil, rock, or fractured materials from endangering the portal and access area.
 - (2) Subsidence areas. The employer shall ensure ground stability in hazardous subsidence areas by shoring, by filling in, or by erecting barricades and posting warning signs to prevent entry.
 - (3) Underground areas.
 - (i)[A] A competent person shall inspect the roof, face, and walls of the work area at the start of each shift and as often as necessary to determine ground stability.
 - [B] Competent persons conducting such inspections shall be protected from loose ground by location, ground support or equivalent means.
 - (ii) Ground conditions along haulageways and travelways shall be inspected as frequently as necessary to ensure safe passage.
 - (iii) Loose ground that might be hazardous to employees shall be taken down, scaled or supported.
 - (iv)[A] Torque wrenches shall be used wherever bolts that depend on torsionally applied force are used for ground support.
 - [B] A competent person shall determine whether rock bolts meet the necessary torque, and shall determine the testing frequency in light of the bolt system, ground conditions and the distance from vibration sources.
 - (v) Suitable protection shall be provided for employees exposed to the hazard of loose ground while installing ground support systems.

- (vi) Support sets shall be installed so that the bottoms have sufficient anchorage to prevent ground pressures from dislodging the support base of the sets. Lateral bracing (collar bracing, tie rods, or spreaders) shall be provided between immediately adjacent sets to ensure added stability.
- (vii) Damaged or dislodged ground supports that create a hazardous condition shall be promptly repaired or replaced. When replacing supports, the new supports shall be installed before the damaged supports are removed.
- (viii) A shield or other type of support shall be used to maintain a safe travelway for employees working in dead-end areas ahead of any support replacement operation.

(4) Shafts.

- (i) Shafts and wells over 5 feet (1.53 m) in depth that employees must enter shall be supported by a steel casing, concrete pipe, timber, solid rock or other suitable material.
- (ii)[A] The full depth of the shaft shall be supported by casing or bracing except where the shaft penetrates into solid rock having characteristics that will not change as a result of exposure. Where the shaft passes through earth into solid rock, or through solid rock into earth, and where there is potential for shear. The casing or bracing shall extend at least 5 feet (1.53 m) into the solid rock. When the shaft terminates in solid rock, the casing or bracing shall extend to the end of the shaft or 5 feet (1.53 m) into the solid rock, whichever is less.
 - [B] The casing or bracing shall extend 42 inches (1.07 m) plus or minus 3 inches (8 cm) above ground level, except that the minimum casing height may be reduced to 12 inches (0.3 m), provided that a standard railing is installed; that the ground adjacent to the top of the shaft is sloped away from the shaft collar to prevent entry of liquids; and that effective barriers are used to prevent mobile equipment operating near the shaft from jumping over the 12 inch (0.3 m) barrier.
- (iii) After blasting operations in shafts, a competent person shall determine if the walls, ladders, timbers, blocking, or wedges have loosened. If so, necessary repairs shall be made before employees other than those assigned to make the repairs are allowed in or below the affected areas.

(p) Blasting. This paragraph applies in addition to the requirements for blasting and explosives operations, including handling of misfires, which are found in Subpart U of this part.

- (1) Blasting wires shall be kept clear of electrical lines, pipes, rails, and other conductive material, excluding earth, to prevent explosives initiation or employee exposure to electric current.
- (2) Following blasting, an employee shall not enter a work area until the air quality meets the requirements of paragraph (j) of this section.

(q) Drilling.

- (1) A competent person shall inspect all drilling and associated equipment prior to each use. Equipment

- defects affecting safety shall be corrected before the equipment is used.
- (2) The drilling area shall be inspected for hazards before the drilling operation is started.
 - (3) Employees shall not be allowed on a drill mast while the drill bit is in operation or the drill machine is being moved.
 - (4) When a drill machine is being moved from one drilling area to another, drill steel, tools, and other equipment shall be secured and the mast shall be placed in a safe position.
 - (5) Receptacles or racks shall be provided for storing drill steel located on jumbos.
 - (6) Employees working below jumbo decks shall be warned whenever drilling is about to begin.
 - (7) Drills on columns shall be anchored firmly before starting drilling, and shall be retightened as necessary thereafter.
 - (8)(i) The employer shall provide mechanical means on the top deck of a jumbo for lifting unwieldy or heavy material.
 - (ii) When jumbo decks are over 10 feet (3.05 m) in height, the employer shall install stairs wide enough for two persons.
 - (iii) Jumbo decks more than 10 feet (3.05 m) in height shall be equipped with guardrails on all open sides, excluding access openings of platforms, unless an adjacent surface provides equivalent fall protection.
 - (iv)[A] Only employees assisting the operator shall be allowed to ride on jumbos, unless the jumbo meets the requirements of paragraph (r)(6)(ii) of this section.
 - [B] Jumbos shall be chocked to prevent movement while employees are working on them.
 - (v)[A] Walking and working surfaces of jumbos shall be maintained to prevent the hazards of slipping, tripping and falling.
 - [B] Jumbo decks and stair treads shall be designed to be slip-resistant and secured to prevent accidental displacement.
 - (9) Scaling bars shall be available at scaling operations and shall be maintained in good condition at all times. Blunted or severely worn bars shall not be used.
 - (10)(i) Blasting holes shall not be drilled through blasted rock (muck) or water.
 - (ii) Employees in a shaft shall be protected either by location or by suitable barrier(s) if powered mechanical loading equipment is used to remove muck containing unfired explosives.
 - (11) A caution sign reading "Buried Line," or similar wording shall be posted where air lines are buried or otherwise hidden by water or debris.

(r) Haulage.

- (1)(i) A competent person shall inspect haulage equipment before each shift.
- (ii) Equipment defects affecting safety and health shall be corrected before the equipment is used.
- (2) Powered mobile haulage equipment shall have suitable means of stopping.
- (3)(i) Power mobile haulage equipment, including trains, shall have audible warning devices to warn employees to stay clear. The operator shall sound the warning device before moving the equipment and whenever necessary during travel.
- (ii) The operator shall assure that lights which are visible to employees at both ends of any mobile equipment, including a train, are turned on whenever the equipment is operating.
- (4) In those cabs where glazing is used, the glass shall be safety glass, or its equivalent, and shall be maintained and cleaned so that vision is not obstructed.
- (5) Anti-roll back devices or brakes shall be installed on inclined conveyer drive units to prevent conveyers from inadvertently running in reverse.
- (6)(i)[A] Employees shall not be permitted to ride a power-driven chain, belt, or bucket conveyer unless the conveyer is specifically designed for the transportation of persons.

[B] Endless belt type manlifts are prohibited in underground construction.

[C] General requirements also applicable to underground construction for use of conveyers in construction are found in 1926.555 of this part.

- (ii) No employee shall ride haulage equipment unless it is equipped with seating for each passenger and protects passengers from being struck, crushed, or caught between other equipment or surfaces. Members of train crews may ride on a locomotive if it is equipped with handholds and nonslip steps or footboards. Requirements applicable to Underground Construction for motor vehicle transportation of employees are found in 1926.601 of this part.
- (7) Powered mobile haulage equipment, including trains, shall not be left unattended unless the master switch or motor is turned off; operating controls are in neutral or part position; and the brakes are set, or equivalent precautions are taken to prevent rolling.
- (8) Whenever rails serve as a return for a trolley circuit, both rails shall be bonded at every joint and crossbonded every 200 feet (60.96 m).
- (9) When dumping cars by hand, the car dumps shall have tie-down chains, bumper blocks, or other locking or holding devices to prevent the cars from overturning.
- (10) Rocker-bottom or bottom-dump cars shall be equipped with positive locking devices to prevent the cars from overturning.

- (11) Equipment to be hauled shall be loaded and secured to prevent sliding or dislodgment.
- (12)(i) Mobile equipment, including rail-mounted equipment, shall be stopped for manual connecting or service work.
 - (ii) Employees shall not reach between moving cars during coupling operations.
 - (iii) Couplings shall not be aligned, shifted or cleaned on moving cars or locomotives.
- (13)(i) Safety chains or other connections shall be used in addition to couplers to connect man cars or powder cars whenever the locomotive is uphill of the cars.
 - (ii) When the grade exceeds one percent and there is a potential for runaway cars, safety chains or other connections shall be used in addition to couplers to connect haulage cars or, as an alternative, the locomotive must be downhill of the train.
 - (iii) Such safety chains or other connections shall be capable of maintaining connection between cars in the event of either coupler disconnect, failure or breakage.
- (14) Parked rail equipment shall be chocked, blocked, or have brakes act to prevent inadvertent movement.
- (15) Berms, bumper blocks, safety hooks, or equivalent means shall be provided to prevent overtravel and overturning of haulage equipment at dumping locations.
- (16) Bumper blocks or equivalent stopping devices shall be provided at all track dead ends.
- (17)(i) Only small handtools, lunch pails or similar small items may be transported with employees in man-cars, or on top of a locomotive.
 - (ii) When small hand tools or other small items are carried on top of a locomotive, the top shall be designed or modified to retain them while traveling.
- (18)(i) Where switching facilities are available, occupied personnel-cars shall be pulled, not pushed. If personnel-cars must be pushed and visibility of the track ahead is hampered, then a qualified person shall be stationed in the lead car to give signals to the locomotive operator.
 - (ii) Crew trips shall consist of personnel-loads only.
- (s) Electrical safety. This paragraph applied in addition to the general requirements for electrical safety which are found in Subpart K of this part.
 - (1) Electric power lines shall be insulated or located away from water lines, telephone lines, air lines, or other conductive materials so that a damaged circuit will not energize the other systems.
 - (2) Lighting circuits shall be located so that movement of personnel or equipment will not damage the circuits or disrupt service.

- (3) Oil-filled transformers shall not be used underground unless they are located in a fire-resistant enclosure suitably vented to the outside and surrounded by a dike to retain the contents of the transformers in the event of rupture.
- (t) Hoisting unique to underground construction. Except as modified by this paragraph (t), employers must: Comply with the requirements of subpart CC of this part, except that the limitation in Sec. 1926.1431(a) does not apply to the routine access of employees to an underground worksite via a shaft; ensure that material hoists comply with Sec. 1926.552(a) and (b) of this part; and ensure that personnel hoists comply with the personnel-hoists requirements of Sec. 1926.552(a) and (c) of this part and the elevator requirements of Sec. 1926.552(a) and (d) of this part.
- (1) General requirements for cranes and hoists.
- (i) Materials, tools, and supplies being raised or lowered, whether within a cage or otherwise, shall be secured or stacked in a manner to prevent the load from shifting, snagging or falling into the shaft.
 - (ii) A warning light suitably located to warn employees at the shaft bottom and subsurface shaft entrances shall flash whenever a load is above the shaft bottom or subsurface entrances, or the load is being moved in the shaft. This paragraph does not apply to fully enclosed hoistways.
 - (iii) Whenever a hoistway is not fully enclosed and employees are at the shaft bottom, conveyances or equipment shall be stopped at least 15 feet (4.57 m) above the bottom of the shaft and held there until the signalman at the bottom of the shaft directs the operator to continue lowering the load, except that the load may be lowered without stopping if the load or conveyance is within full view of a bottom signalman who is in constant voice communication with the operator.
 - (iv)[A] Before maintenance, repairs, or other work is commenced in the shaft served by a cage, skip, or bucket, the operator and other employees in the area shall be informed and given suitable instructions.
 - [B] A sign warning that work is being done in the shaft shall be installed at the shaft collar, at the operator's station, and at each underground landing.
 - (v) Any connection between the hoisting rope and the cage or skip shall be compatible with the type of wire rope used for hoisting.
 - (vi) Spin-type connections, where used, shall be maintained in a clean condition and protected from foreign matter that could affect their operation.
 - (vii) Cage, skip, and load connections to the hoist rope shall be made so that the force of the hoist pull, vibration, misalignment, release of lift force, or impact will not disengage the connection. Moused or latched openthroat hooks do not meet this requirement.
 - (viii) When using wire rope wedge sockets, means shall be provided to prevent wedge escapement and to ensure that the wedge is properly seated.

- (2) Additional requirements for cranes. Cranes shall be equipped with a limit switch to prevent overtravel at the boom tip. Limit switches are to be used only to limit travel of loads when operational controls malfunction and shall not be used as a substitute for other operational controls.
- (3) Additional requirements for hoists.
- (i) Hoists shall be designed so that the load hoist drum is powered in both directions of rotation, and so that brakes are automatically applied upon power release or failure.
 - (ii) Control levers shall be of the "deadman type" which return automatically to their center (neutral) position upon release.
 - (iii) When a hoist is used for both personnel hoisting and material hoisting, load and speed ratings for personnel and for materials shall be assigned to the equipment.
 - (iv) Material hoisting may be performed at speeds higher than the rated speed for personnel hoisting if the hoist and components have been designed for such higher speeds and if shaft conditions permit.
 - (v) Employees shall not ride on top of any cage, skip or bucket except when necessary to perform inspection or maintenance of the hoisting system, in which case they shall be protected by a body belt/harness system to prevent falling.
 - (vi) Personnel and materials (other than small tools and supplies secured in a manner that will not create a hazard to employees) shall not be hoisted together in the same conveyance. However, if the operator is protected from the shifting of materials, then the operator may ride with materials in cages or skips which are designed to be controlled by an operator within the cage or skip.
 - (vii) Line speed shall not exceed the design limitations of the systems.
 - (viii) Hoists shall be equipped with landing level indicators at the operator's station. Marking the hoist rope does not satisfy this requirement.
 - (ix) Whenever glazing is used in the hoist house, it shall be safety glass, or its equivalent, and be free of distortions and obstructions.
 - (x) A fire extinguisher that is rated at least 2A:10B:C (multi-purpose, dry chemical) shall be mounted in each hoist house.
 - (xi) Hoist controls shall be arranged so that the operator can perform all operating cycle functions and reach the emergency power cutoff without having to reach beyond the operator's normal operating position.
 - (xii) Hoists shall be equipped with limit switches to prevent overtravel at the top and bottom of the hoistway.

- (xiii) Limit switches are to be used only to limit travel of loads when operational controls malfunction and shall not be used as a substitute for other operational controls.
 - (xiv) Hoist operators shall be provided with a closed-circuit voice communication system to each landing station, with speaker microphones so located that the operator can communicate with individual landing stations during hoist use.
 - (xv) When sinking shafts 75 feet (22.86 m) or less in depth, cages, skips, and buckets that may swing, bump, or snag against shaft sides or other structural protrusions shall be guided by fenders, rails, ropes, or a combination of those means.
 - (xvi) When sinking shafts more than 75 feet (22.86 m) in depth, all cages, skips, and buckets shall be rope or rail guided to within a rail length from the sinking operation.
 - (xvii) Cages, skips, and buckets in all completed shafts, or in all shafts being used as completed shafts, shall be rope or rail-guided for the full length of their travel.
 - (xviii) Wire rope used in load lines of material hoists shall be capable of supporting, without failure, at least five times the maximum intended load or the factor recommended by the rope manufacturer, whichever is greater. Refer to Sec. § 1926.552(c)(14)(iii) of this part for design factors for wire rope used in personnel hoists. The design factor shall be calculated by dividing the breaking strength of wire rope, as reported in the manufacturer's rating tables, by the total static load, including the weight of the wire rope in the shaft when fully extended.
 - (xix) A competent person shall visually check all hoisting machinery, equipment, anchorages, and hoisting rope at the beginning of each shift and during hoist use, as necessary.
 - (xx) Each safety device shall be checked by a competent person at least weekly during hoist use to ensure suitable operation and safe condition.
 - (xxi) In order to ensure suitable operation and safe condition of all functions and safety devices, each hoist assembly shall be inspected and load-tested to 100 percent of its rated capacity: at the time of installation; after any repairs or alterations affecting its structural integrity; after the operation of any safety device; and annually when in use. The employer shall prepare a certification record which includes the date each inspection and load-test was performed; the signature of the person who performed the inspection and test; and a serial number or other identifier for the hoist that was inspected and tested. The most recent certification record shall be maintained on file until completion of the project.
 - (xxii) Before hoisting personnel or material, the operator shall perform a test run of any cage or skip whenever it has been out of service for one complete shift, and whenever the assembly or components have been repaired or adjusted.
 - (xxiii) Unsafe conditions shall be corrected before using the equipment.
- (4) Additional requirements for personnel hoists.

- (i) Hoist drum systems shall be equipped with at least two means of stopping the load, each of which shall be capable of stopping and holding 150 percent of the hoist's rated line pull. A broken-rope safety, safety catch, or arrestment device is not a permissible means of stopping under this paragraph (t).
 - (ii) The operator shall remain within sight and sound of the signals at the operator's station.
 - (iii) All sides of personnel cages shall be enclosed by one-half inch (12.70 mm) wire mesh (not less than No. 14 gauge or equivalent) to a height of not less than 6 feet (1.83 m). However, when the cage or skip is being used as a work platform, its sides may be reduced in height to 42 inches (1.07 m) when the conveyance is not in motion.
 - (iv) All personnel cages shall be provided with a positive locking door that does not open outward.
 - (v) All personnel cages shall be provided with a protective canopy. The canopy shall be made of steel plate, at least 3/16-inch (4.763 mm) in thickness, or material of equivalent strength and impact resistance. The canopy shall be sloped to the outside, and so designed that a section may be readily pushed upward to afford emergency egress. The canopy shall cover the top in such a manner as to protect those inside from objects falling in the shaft.
 - (vi) Personnel platforms operating on guide rails or guide ropes shall be equipped with broken-rope safety devices, safety catches or arrestment devices that will stop and hold 150 percent of the weight of the personnel platform and its maximum rated load.
 - (vii) During sinking operations in shafts where guides and safeties are not yet used, the travel speed of the personnel platform shall not exceed 200 feet (60.96 m) per minute. Governor controls set for 200 feet (60.96 m) per minute shall be installed in the control system and shall be used during personnel hoisting.
 - (viii) The personnel platform may travel over the controlled length of the hoistway at rated speeds up to 600 feet (182.88 m) per minute during sinking operations in shafts where guides and safeties are used.
 - (ix) The personnel platform may travel at rated speeds greater than 600 feet (182.88 m) per minute in completed shafts.
- (u) Definitions. "Accept" -- Any device, equipment, or appliance that is either approved by MSHA and maintained in permissible condition, or is listed or labeled for the class and location under Subpart K of this part.
- "Rapid Excavation Machine" -- Tunnel boring machines, shields, roadheaders, or any other similar excavation machine.