

CERTIFICATION REQUIREMENTS FOR MINERAL MINERS

Part I

General and Specific Requirements

4VAC25-35-10. Initial certification requirements.

A. Applicants shall submit:

1. The Application for Certification Examination form (BMME-1).

2. A copy of all degrees required for certification and a valid first aid certificate or card or as noted in Part II, Minimum Certification Requirements (4 VAC 25-35-50 et seq.).

When not otherwise specified, first aid cards shall be issued by an organization that uses nationally recognized standards and is approved by the Division of Mineral Mining (DMM), e.g., American Red Cross and National Safety Council.

3. A \$10 fee for each examination application received at least five working days prior to an examination. Cash will be accepted if paying in person at a Department of Mines, Minerals and Energy (DMME) office.

4. A Verification of Work Experience form (BMME-2) and documentation of equivalent work experience for approval by DMM, if required for the certification. This form shall

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be signed by a company official who is knowledgeable of the experience of the applicant and shall be notarized.

B. Applicants shall fulfill the requirements of 4 VAC 25-35-10 and accumulate the required years of experience within five years of taking the examination or start the process over including payment of fee.

C. Applicants for the general mineral miner certification shall submit a \$10 processing fee with their application.

D. Persons requesting replacement of a lost or destroyed certificate shall submit a letter to DMM with a \$1.00 fee. ~~The fee shall be in the form of a certified, or cashier's check or money order made payable to the Treasurer of Virginia per §45.1-161.50 of the Code of Virginia.~~ Cash will be accepted if paying in person at a DMME office.

4VAC25-35-20. Examination requirements.

A. All applicants for certification shall take a written examination except candidates for the general mineral miner certification and electrical certification applicants who hold a journeyman card ~~or those applicants with comparable work experience acceptable to DMM under 4VAC25-35-100 A.~~ Applicants for the foreman certification shall score at

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least 85% and applicants for other certifications shall score at least 80% on each section of the written examination.

B. If all or part of an examination is failed, the applicant must pay the examination fee and retake the failed section or sections within 90 days to continue the certification process. If a section of the examination is failed a second time, the applicant must pay the fee and retake the entire examination. If the examination is failed on the third try, the applicant must pay the fee and wait the longer of 90 days from the re-examination date or one year from the initial examination date before retaking the entire exam. After the third attempt, the application cycle starts over.

4VAC25-35-30. Reciprocity requirements.

Reciprocity shall be available for certified persons in other states as provided for in §45.1-161.292:24 ~~§45.1-161.51~~ of the Code of Virginia. Applicants for reciprocity must submit a current copy of their pocket card or certificate, examination grades, and documentation of equivalent work experience for review and approval by the Board of Mineral Mining Examiners (BMME).

4VAC25-35-40. Renewal requirements.

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A. Certificates issued by the Board of Examiners (BOE) ~~prior to July 1, 1994~~, shall not be accepted as valid ~~until the BMME issues a certificate to replace the BOE certificate.~~
~~The BMME will issue replacement certificates with expiration dates spread between 1996 until 1999. No BOE certificate shall be valid after July 1, 1999.~~

B. DMM will send renewal notices to the last known address of the certificate holder at least 180 days prior to the expiration of the certificate. Certified persons shall apply for renewal of certificates by submitting the Application for Renewal form (BMME-3) and the Verification of Work Experience form (BMME-2) to DMM no more than 180 days prior to the expiration of their certificate. The forms shall be submitted in time to be received at least five working days prior to the date of the examination or refresher class.

C. Certified persons, except mine inspectors, who have worked a cumulative minimum of 24 months in the last five years shall select one of two options to renew their certificates; either take an examination or complete a refresher class on any changes in regulations and law since the initial certification or the certificate was last renewed. No examination or class shall be required if there have been no such changes.

D. Certified persons shall take the examination described in 4 VAC 25-35-20 if their certificate has expired, they have not worked in the area for which they are certified for a cumulative minimum of 24 months in the last five years, or DMM has issued the individual violations ~~which~~ that have not been corrected.

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E. Successful completion of the mine inspector renewal shall suffice for renewing the mine foreman certification.

F. Applicants for renewal of certifications shall hold a valid first aid certificate or card to renew their certification.

G. Applicants shall submit a \$10 fee for the examination or the refresher class which shall be received at least five working days prior to the examination or class. Cash will be accepted if paying in person at a DMME office.

Part II

Minimum Certification Requirements

4VAC25-35-50. Underground foreman.

A. Applicants for certification as an underground foreman shall possess five years mining experience at an underground mineral mine or equivalent work experience approved by DMM.

B. Applicants may be given three years credit for a surface foreman certificate or bachelor's degree in mining engineering, mining technology, civil engineering or geology, or two years credit for an associate's degree in mining technology or civil technology.

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C. Applicants shall possess a valid first aid certificate which represents completion of an approved first aid course.

4VAC25-35-60. Surface foreman.

A. Applicants for certification as a surface foreman shall possess five years mining experience, at least one year at a surface mineral mine, or equivalent work experience approved by DMM.

B. Applicants may be given three years credit for a bachelor's degree in mining engineering, mining technology, civil engineering, civil technology or geology, or two years credit for an associate's degree in mining technology or civil technology.

C. Applicants shall possess a valid first aid certificate which represents completion of an approved first aid course.

4VAC25-35-70. Surface foreman, open pit (not applicable to drilling and blasting activities).

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A. Surface foreman, open pit applicants shall possess five years mining experience with at least one year at a surface mineral mine, or equivalent work experience approved by DMM.

B. Applicants may be given three years credit for a bachelor's degree in mining engineering, mining technology, civil engineering, civil technology or geology, or two years credit for an associate's degree in mining technology or civil technology.

C. Applicants shall possess a valid first aid certificate which represents completion of an approved first aid course.

4VAC25-35-80. Surface blaster.

A. Surface blaster applicants shall possess one year of blasting experience on a surface mineral mine under the supervision of a certified blaster or possess equivalent work experience approved by DMM.

B. Applicants shall possess a valid record of three hours of training in first aid from an organization that uses nationally recognized standards or a valid (MSHA) 5000-23 form record of training to meet the requirements in 30 CFR Part 48 that includes first aid.

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4VAC25-35-90. Underground mining blaster.

A. Underground mining blaster applicants shall possess two years of work experience in an underground mine with at least one year handling and using explosives underground or possess equivalent work experience approved by DMM.

B. Applicants shall possess a valid MSHA 5000-23 form showing training in first aid.

4VAC25-35-100. Mineral mining electrician (electrical repairman).

A. Applicants for certification as a mineral mining electrician shall possess work experience as demonstrated by ~~hold~~ a valid journeyman electrical certification issued ~~under by the~~ Department of Professional and Occupational Regulation, Tradesmen Certification Section, ~~criteria or possess equivalent work experience~~ as approved by DMM as equivalent to that required for a Journeyman certification.

B. Applicants shall submit documentation of training as required by 30 CFR Part 46 or 30 CFR Part 48 or provide evidence of their knowledge of safe working practices on the mine site as approved by DMM.

4VAC25-35-110. Mine inspector.

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In addition to the requirements set forth in §45.1-161.292:11 ~~§45.1-161.19~~ of the Code of Virginia, mine inspector applicants shall demonstrate knowledge and competence in those areas specified in §45.1-161.292:12 ~~§45.1-161.20~~ of the Code of Virginia through the examination process. A certificate will not be issued until an applicant is employed by DMME.

4VAC25-35-120. General mineral miner.

A. As set forth in §45.1-161.292:28 ~~§45.1-161.55~~ of the Code of Virginia, miners commencing work after ~~January 1, 1996~~, January 1, 1997, shall have a general mineral miner certification. For the purposes of these regulations, "commencing work" means after employment but before beginning job duties. Persons excluded from the general mineral miner certification are those involved in delivery, office work, maintenance, service and construction work, other than the extraction and processing of minerals, who are contracted by the mine operator. Hazard training as required by 30 CFR Part 46 or 30 CFR Part 48 shall be provided to these persons.

B. Applicants shall complete certification training in first aid and mineral mining regulations and law which is conducted by a training instructor approved by DMM, a certified MSHA instructor, or a certified mine foreman. Training shall include the following topics, subtopics and practical applications:

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1. First aid training shall convey a knowledge of first aid practices including identification of trauma symptoms, recognition and treatment of external and internal bleeding, shock, fractures, and exposure to extreme heat or cold. To prove to the BMME that an applicant has knowledge of first aid practices, the training shall include a demonstration of skills or passing a written examination, as evidenced by the instructor certification as contained in the BMME-4 form.

2. Law and regulation training shall convey highlights of the mineral mine safety laws of Virginia and the safety and health regulations of Virginia. Specifically, information shall be provided on miner responsibilities and accountability, certification requirements, violations, penalties, appeals and reporting violations to DMM. To prove to the BMME that an applicant has knowledge of the mineral mine safety laws of Virginia and the safety and health regulations, the training shall include a demonstration of skills or passing a written examination, as evidenced by the instructor certification as contained in the BMME-4 form.

- C. The trainer will certify to the BMME that the training and demonstrations required by §45.1-161.292:28 B ~~§45.1-161.55-B~~ of the Code of Virginia and this section have occurred by completing the BMME-4 form.

- D. Applicants who hold a valid first aid card or certificate as noted in 4VAC25-35-10 shall be considered to have met the first aid requirements.

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E. Applicants who have completed training may commence work and shall be considered provisionally certified for up to 60 days from the date the instructor completes the training.

F. The instructor shall submit a BMME-4 form and the \$10 fee for each applicant who completes the training, together with a class roster of all persons who complete the training, within 30 days of the training date.

G. The mine operator shall maintain the following records for those miners required to obtain a general mineral miner certification and those who qualify for exemption, starting January 1, 1997 ~~1996~~:

1. The employee name, address, phone number.
2. The job title, employment date and general mineral miner number if applicable.
3. The date training was completed and the instructor providing it for nonexempt employees.
4. If the employee is exempt from the requirements, the date they began working in the mineral mining industry in Virginia.

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FORMS

Application for Certification Examination, DMM-BMME-1, rev. 2/99.

Verification of Work Experience Form, DMM-BMME-2 (rev. 5/99).

Application for Renewal, DMM-BMME-3, rev. 2/99.

Verification of Training Completed for General Mineral Miner (GMM) Certification,
DMM-BMME-4, rev. 2/99.