

<u>DIVISION OF MINES GUIDELINES FOR APPLICATION OF REGULATORY STANDARDS MANUAL</u>	
COAL MINE SAFETY ACT	CHAPTER 14.2
ARTICLE 1	GENERAL PROVISIONS
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Section 45.1-161.8. Definitions “Operator”

Independent Contractor as an Operator

In order to recognize the separate existence and thus, responsibility of an “independent contractor”, the Division must have documentation of that existence. Without such documentation the inspector should consider that the licensed mine operator is the party solely responsible for the mine. With the necessary identifying information, the inspector should determine the area and degree of responsibility among the separate entities operating on the mine site.

The licensed operator must provide the inspector with the following information to establish the existence of an independent contractor on the licensed mine site:

- The contractor’s name, business address and business telephone number.
- A description of the scope of the work being performed by the contractor on the mine site.
- The contractor’s MSHA identification number, if any.
- The contractor’s address of record for service of citation or other documents related to mine activities.