

**Mine Safety and Health Admin., Labor**

**§ 75.1712-3**

rib and face rolls as would a substantially constructed canopy or cab meeting the requirements of this section.

[37 FR 20690, Oct. 3, 1972, as amended by 41 FR 23200, June 9, 1976; 43 FR 12320, Mar. 24, 1978; 47 FR 28096, June 29, 1982; 61 FR 55527, Oct. 25, 1996]

EFFECTIVE DATE NOTE: At 42 FR 34877, July 7, 1977, the dates appearing in paragraphs (a)(5)(ii) and (a)(6) of § 75.1710-1 were suspended indefinitely, effective July 1, 1977.

**§ 75.1711 Sealing of mines.**

[STATUTORY PROVISIONS]

On or after March 30, 1970, the opening of any coal mine that is declared inactive by the operator, or is permanently closed, or abandoned for more than 90 days, shall be sealed by the operator in a manner prescribed by the Secretary. Openings of all other mines shall be adequately protected in a manner prescribed by the Secretary to prevent entrance by unauthorized persons.

**§ 75.1711-1 Sealing of shaft openings.**

Shaft openings required to be sealed under § 75.1711 shall be effectively capped or filled. Filling shall be for the entire depth of the shaft and, for the first 50 feet from the bottom of the coalbed, the fill shall consist of incombustible material. Caps consisting of a 6-inch thick concrete cap or other equivalent means may be used for sealing. Caps shall be equipped with a vent pipe at least 2 inches in diameter extending for a distance of at least 15 feet above the surface of the shaft.

**§ 75.1711-2 Sealing of slope or drift openings.**

Slope or drift openings required to be sealed under § 75.1711 shall be sealed with solid, substantial, incombustible material, such as concrete blocks, bricks or tile, or shall be completely filled with incombustible material for a distance of at least 25 feet into such openings.

**§ 75.1711-3 Openings of active mines.**

The openings of all mines not declared by the operator, to be inactive, permanently closed, or abandoned for less than 90 days shall be adequately fenced or posted with conspicuous signs

prohibiting the entrance of unauthorized persons.

**§ 75.1712 Bath houses and toilet facilities.**

[STATUTORY PROVISIONS]

The Secretary may require any operator to provide adequate facilities for the miners to change from the clothes worn underground, to provide for the storing of such clothes from shift to shift, and to provide sanitary and bathing facilities. Sanitary toilet facilities shall be provided in the active workings of the mine when such surface facilities are not readily accessible to the active workings.

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

**§ 75.1712-1 Availability of surface bathing facilities; change rooms; and sanitary facilities.**

Except where a waiver has been granted pursuant to the provisions of § 75.1712-4, each operator of an underground coal mine shall on and after December 30, 1970, provide bathing facilities, clothing change rooms, and sanitary facilities, as hereinafter prescribed, for the use of the miners at the mine.

**§ 75.1712-2 Location of surface facilities.**

Bathhouses, change rooms, and sanitary toilet facilities shall be in a location convenient for the use of the miners. Where such facilities are designed to serve more than one mine, they shall be centrally located so as to be as convenient for the use of the miners in all the mines served by such facilities.

**§ 75.1712-3 Minimum requirements of surface bathing facilities, change rooms, and sanitary toilet facilities.**

(a) All bathing facilities, change rooms, and sanitary toilet facilities shall be provided with adequate light, heat, and ventilation so as to maintain a comfortable air temperature and to minimize the accumulation of moisture and odors, and such facilities shall be maintained in a clean and sanitary condition.

(b) Bathing facilities, change rooms, and sanitary toilet facilities shall be