

<b>I. DIVISION OF MINES GUIDELINES FOR APPLICATION OF REGULATORY STANDARDS MANUAL</b>	
<b>A. COAL MINE SAFETY ACT</b>	<b>B. CHAPTER 14.3</b>
<b>C. ARTICLE 13</b>	<b>D. FIRE PREVENTION AND FIRE CONTROL</b>
<b>E. Issue Date: 8/01/01 Revised Date:</b>	<b>F. Page 1 of 2</b>

**Section 45.1-161.207.B.**

**Welding and Cutting**

Section 45.1-161.28.A. of the Coal Mine Safety Laws of Virginia identifies a certified person to be that person whose duties and responsibilities require competency, skill or knowledge in order to perform consistently with the health and safety of persons and property. The Board of Coal Mining Examiners establishes certification requirements for persons performing tasks which the Act or any regulation promulgated by the Board or by the Department requires to be performed by certified persons.

Section 45.1-161.207.B. states: “Welding and cutting with arc or flame or soldering underground in other than fireproof enclosures ventilated with intake air shall be done by or under direct instruction of a certified person. Such person shall test for methane before and during such operations in underground mines and shall make a diligent search for fire after such operations in all mines.”

Under the Act, mine foremen, maintenance foremen and chief electricians are responsible for directing the work to be performed and insuring that necessary precautions are reviewed with persons instructed to perform assigned work.

**This standard does not require the presence of a certified foreman while such work is being performed. However, it does not relieve the foreman from responsibility for assuring that all necessary provisions are made available and carried out to comply with the safety precautions required under Section 45.1-161.207 B including that a miner certified for gas testing performs the required tests for methane.**