

§ 22.3 [Reserved]

§ 22.4 Applications.

Before MSHA will undertake the active investigation leading to approval of any methane detector, the manufacturer shall make application by letter for an investigation leading to approval of his detector. This application, in duplicate, accompanied by a check, bank draft, or money order, payable to the U.S. Mine Safety and Health Administration, to cover all the necessary fees, shall be sent to Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059, together with the required drawings, one complete detector, and instructions for its operation.

[Supp. 1, 20 FR 2575, Apr. 19, 1955, as amended at 43 FR 12315, Mar. 24, 1978; 60 FR 35694, July 11, 1995]

§ 22.5 Conditions governing investigations.

(a) One complete detector, with assembly and detail drawings that show the construction of the device and the materials of which it is made, should be forwarded prepaid to Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059, at the time the application for tests is made.

(b) When this has been inspected by MSHA, the applicant will be notified as to the amount of material that will be required for the tests. The manufacturer will be notified of the date on which the tests will be started and will be given an opportunity to witness the tests.

(c) *Observers at formal investigations and demonstrations.* No one shall be present during any part of the formal investigation conducted by MSHA which leads to approval for permissibility except the necessary Government personnel, representatives of the applicant, and such other persons as may be mutually agreed upon by the applicant and MSHA. Upon granting approval for permissibility, MSHA will announce that such approval has been granted to the device and may thereafter conduct, from time to time in its discretion, public demonstrations of the tests conducted on the approved device. Those who attend any part of the

investigation, or any public demonstration, shall be present solely as observers; the conduct of the investigation and of any public demonstration shall be controlled by MSHA. Results of chemical analyses of material and all information contained in the drawings, specifications, and instructions shall be deemed confidential and their disclosure will be appropriately safeguarded by MSHA.

[Sched. 8C, Oct. 31, 1935, as amended by Supp. 1, 20 FR 2575, Apr. 19, 1955; 43 FR 12315, Mar. 24, 1978; 60 FR 35694, July 11, 1995]

§ 22.6 General requirements.

Methane detectors approved under this part shall be portable. They shall be durable in construction, practical in operation, and suitable for service conditions underground. They shall offer no probable explosion hazard if used in gaseous mine atmospheres nor any bodily hazard, such as spilling of battery electrolyte. They shall exhibit under laboratory test conditions various requirements of minimum performance that are specified in this part.

§ 22.7 Specific requirements.

(a) *Design.* In the determination of adequacy of design, the following points will be considered: (1) Materials used, (2) construction, (3) accuracy, (4) size and shape, (5) range of detection (or indication), (6) life of the active parts, and (7) attention required. The suitability of the materials and the construction shall be determined by preliminary inspection, by dropping tests, by laboratory and field tests in gas and air mixtures, and by the general behavior of the equipment during the investigation.

(b) *Safety against explosion hazard—(1) Detectors.* Detectors shall be constructed so that they will not cause external ignitions when used in gaseous mine atmospheres.

(2) *Seals or locks.* All parts through which external ignitions might result shall be covered and protected adequately. All covers shall be sealed adequately or equipped with magnetic or other equally reliable locks to prevent their being opened by unauthorized persons.