

§ 22.8 Material required for MSHA records.

In order that MSHA may know exactly what it has tested and approved, it keeps detailed records covering each investigation. These records include drawings and actual equipment as follows:

(a) *Drawings.* The original drawings submitted with the application for the tests and the final drawings which the manufacturer must submit to MSHA before the approval is granted to show the details of the detector as approved, are retained. These drawings are used to identify the detector in the approval and as a means of checking the future commercial product of the manufacturer.

(b) *Actual equipment.* If MSHA so desires, parts of the detectors that are used in the tests will be retained as records of the equipment submitted. If the detector is approved, MSHA will require the manufacturer to submit one of his detectors, with the approval plate attached, as a record of his commercial product.

§ 22.9 How approvals are granted.

All approvals are granted by official letter from MSHA. A detector will be approved under this part only when the testing engineers have judged that it has met the requirements of the schedule and MSHA's records are complete, including drawings from the manufacturer that show the detector as it is to be commercially made. No verbal reports of the investigation will be given and no informal approvals will be granted. As soon as the manufacturer has received the formal approval, he shall be free to advertise his detector as permissible.

[Sched. 8C, Oct. 31, 1935, as amended by Supp. 1, 20 FR 2575, Apr. 19, 1955]

§ 22.10 Approval plate.

(a) *Attachment to be made by manufacturers.* (1) Manufacturers shall attach, stamp, or mold an approval plate on each permissible methane detector. The plate shall bear the emblem of the Mines Safety and Health Administration and be inscribed as follows:

Permissible Methane Detector (or Permissible Methane Indicating Detector) Approval

No. _____ issued to the _____ Company.

(2) When deemed necessary, an appropriate caution statement shall be added. The size and position of the approval plate shall be satisfactory to MSHA.

(b) *Purpose of approval plate.* The approval plate is a label that identifies the device so that anyone can tell at a glance whether it is of the permissible type or not. By the plate, the manufacturer can point out that his detector complies with MSHA's requirements and that it has been approved for use in gassy mines.

(c) *Use of approval plate.* Permission to place MSHA's approval plate on his detector obligates the manufacturer to maintain the quality of his product and to see that each detector is constructed according to the drawings that have been accepted by MSHA and are in MSHA's files. Detectors exhibiting changes in design that have not been approved are not permissible and must not bear MSHA's approval plate.

(d) *Withdrawal of approval.* MSHA reserves the right to rescind for cause at any time any approval granted under this part.

[Sched. 8C, Oct. 31, 1935, as amended at 43 FR 12315, Mar. 24, 1978]

§ 22.11 Instructions on handling future changes in design.

All approvals are granted with the understanding that the manufacturer will make the detector according to the drawings submitted to MSHA which have been considered and included in the approval. Therefore, when the manufacturer desires to make any changes in the design, the manufacturer should first obtain MSHA's approval of the change. The procedure is as follows:

(a) The manufacturer should write to Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059, requesting an extension of the original approval and stating the change or changes desired. With this request, the manufacturer should submit a revised drawing or drawings showing changes in detail, together with one of each of the parts affected.