

§ 28.24

(h) The use of any MSHA approval label or marking obligates the applicant to whom it is issued to retest the approved fuse within a 2-year period from the date of the certificate of approval, and every 2 years thereafter, in accordance with the provisions of § 28.10.

[37 FR 7562, Apr. 15, 1972, as amended at 43 FR 12316, Mar. 24, 1978; 45 FR 68935, Oct. 17, 1980]

§ 28.24 Revocation of certificates of approval.

MSHA reserves the right to revoke, for cause, any certificate of approval issued pursuant to the provisions of this part. Such causes include, but are not limited to, misuse of approval labels and markings, misleading advertising, violations of section 110(h) of the Federal Mine Safety and Health Act of 1977 and failure to maintain or cause to be maintained the quality control requirements of the certificate of approval.

[37 FR 7562, Apr. 15, 1972, as amended at 43 FR 12316, Mar. 24, 1978]

§ 28.25 Changes or modifications of approved fuses; issuance of modification of certificate of approval.

(a) Each applicant may, if he desires to change any feature of an approved fuse, request a modification of the original certificate of approval issued by MSHA for such fuse by filing an application for modification in accordance with the provisions of this section.

(b) Applications, including fees, shall be submitted as specified in § 28.10 for an original certificate of approval, with a request for a modification of the existing certificate to cover any proposed change.

(c) The application for modification, together with the examination, inspection, and test results prescribed by § 28.10 shall be examined and evaluated by MSHA to determine if the proposed modification meets the requirements of this part.

(d) If the proposed modification meets the requirements of this part, a formal modification of approval will be issued, accompanied, where necessary, by reproductions of revised approval labels or markings.

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Subpart D—Quality Control

§ 28.30 Quality control plans; filing requirements.

As a part of each application for approval or modification of approval submitted pursuant to this part, each applicant shall file with MSHA a proposed quality control plan which shall be designed to assure the quality of short-circuit protection provided by the fuse for which approval is sought.

§ 28.31 Quality control plans; contents.

(a) Each quality control plan shall contain provisions for the management of quality, including: (1) Requirements for the production of quality data and the use of quality control records; (2) control of engineering drawings, documentations, and changes; (3) control and calibration of measuring and test equipment; (4) control of purchased material to include incoming inspection; (5) lot identification, control of processes, manufacturing, fabrication, and assembly work conducted in the applicant's plant; (6) audit or final inspection of the completed product; and, (7) the organizational structure necessary to carry out these provisions.

(b) The sampling plan shall include inspection tests and sampling procedures developed in accordance with Military Specification MIL-F-15160D, "Fuses; Instrument, Power, and Telephone" (which is hereby incorporated by reference and made a part hereof), Group A tests and Group B tests, except that the continuity and/or resistance characteristics of each fuse shall be tested. Military Specification MIL-F-15160D is available for examination at Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059. Copies of the document may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC20402.

(c) The sampling procedure shall include a list of the characteristics to be tested by the applicant or his agent and shall include but not be limited to: (1) Continuity and/or resistance determination for each fuse; (2) carry current capability (not less than 110 percent of the rated current); and, (3)

overload current interruption capability (not less than 135 percent of the rated current).

(d) The quality control inspection test method to be used by the applicant or his agent for each characteristic required to be tested shall be described in detail.

[37 FR 7562, Apr. 15, 1972, as amended at 43 FR 12316, Mar. 24, 1978; 60 FR 35694, July 11, 1995]

§ 28.32 Proposed quality control plans; approval by MSHA.

(a) Each proposed quality control plan submitted in accordance with this subpart shall be reviewed by MSHA to determine its effectiveness in insuring the quality of short-circuit protection provided by the fuse for which an approval is sought.

(b) If MSHA determines that the proposed quality control plan submitted by the applicant will not insure adequate quality control, MSHA shall require the applicant to modify the procedures and testing requirements of the plan prior to approval of the plan and issuance of any certificate of approval.

(c) Approved quality control plans shall constitute a part of and be incorporated into any certificate of approval issued by MSHA, and compliance with such plans by the applicant shall be a condition of approval.

§ 28.33 Quality control test methods, equipment, and records; review by MSHA; revocation of approval.

(a) MSHA reserves the right to have its representatives inspect the applicant's quality control test methods, equipment, and records, and to interview any employee or agent of the applicant in regard to quality control test methods, equipment, and records.

(b) MSHA reserves the right to revoke, for cause, any certificate of approval where it finds that the applicant's quality control test methods, equipment, or records do not ensure effective quality control over the fuse for which the approval was issued.

Subpart E—Construction, Performance, and Testing Requirements

§ 28.40 Construction and performance requirements; general.

(a) MSHA shall issue approvals for fuses for use with direct current in providing short-circuit protection for trailing cables, when such fuses have met the minimum construction, performance, and testing requirements set forth in this subpart.

(b) Fuses submitted to MSHA for approval will not be accepted unless they are designed on sound engineering and scientific principles, constructed of suitable materials, and evidence good workmanship.

(c) Fuses may be single-element or dual-element in type, however, they shall be capable of interrupting any direct current within a range from the ampere rating of the fuse under consideration for approval up to 20,000 amperes.

(d) MSHA shall accept the fuse size and ampere rating as specified in the Underwriters Laboratories, Inc., standard for alternating current fuses (UL-198), which is hereby incorporated by reference and made a part hereof. This document is available for examination at Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059, and copies of the document are available from Underwriters Laboratories, Inc., 161 Sixth Avenue, New York, NY 10013.

(e) Fuses shall be capable of completely interrupting a current within 30 milliseconds after initial current interruption, and shall not show any evidence of restriking after 30 milliseconds.

(f) The blown fuse shall show only superficial damage.

[37 FR 7562, Apr. 15, 1972, as amended at 43 FR 12316, Mar. 24, 1978; 60 FR 35694, July 11, 1995]

§ 28.41 Testing requirements; general.

(a) The open circuit voltage of the test circuit shall be 300 volts d.c., or 600 volts d.c., depending on the voltage rating of the fuse being tested.