

high-voltage lines) shall continue to be qualified until June 30, 1973. To remain qualified after June 30, 1973, such individual shall meet the requirements of either paragraph (a) (1), (2), or (3) of this section.

(g) An individual qualified in accordance with this section shall, in order to retain qualification, certify annually to the District Manager, that he has satisfactorily completed a coal mine electrical retraining program approved by the Secretary.

01(a), Federal Coal Mine Health and Safety Act of 1969; 30 U.S.C. 811(a); 83 Stat. 745)

[37 FR 22377, Oct. 19, 1972; 37 FR 28163, Dec. 21, 1972, as amended at 44 FR 9380, Feb. 13, 1979; 47 FR 23641, May 28, 1982]

**§ 77.104 Repair of energized surface high-voltage lines; qualified person.**

An individual is a qualified person within the meaning of § 77.704 of this part for the purpose of repairing energized surface high-voltage lines only if he has had at least 2 years experience in electrical maintenance, and at least 2 years experience in the repair of energized high-voltage lines located on poles or structures.

[36 FR 9364, May 22, 1971, as amended at 36 FR 13143, July 15, 1971]

**§ 77.105 Qualified hoistman; slope or shaft sinking operation; qualifications.**

(a)(1) A person is a qualified hoistman within the provisions of Subpart T of this part, for the purpose of operating a hoist at a slope or shaft sinking operation if he has at least 1 year experience operating a hoist plant or maintaining hoist equipment and is qualified by any State as a hoistman or its equivalency, or

(2) If a State has no program for qualifying persons as hoistmen, the Secretary may qualify persons if the operator of the slope or shaft-sinking operation makes an application and a satisfactory showing that the person has had 1 year of experience operating hoists. A person's qualification is valid for as long as the person continues to satisfy the requirements for qualification and is employed at the same coal mine or by the same independent contractor.

(b) Applications for Secretarial qualification should be submitted to the Mine Safety and Health Administration, Certification and Qualification Center, P.O. Box 25367, Denver Federal Center, Denver, Colo. 80225.

[36 FR 9364, May 22, 1971, as amended at 43 FR 12320, Mar. 24, 1978; 54 FR 30515, July 20, 1989]

**§ 77.106 Records of certified and qualified persons.**

The operator of each coal mine shall maintain a list of all certified and qualified persons designated to perform duties under this Part 77.

(Pub. L. No. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 et seq.))

[36 FR 9364, May 22, 1971, as amended at 60 FR 33723, June 29, 1995]

**§ 77.107 Training programs.**

Every operator of a coal mine shall provide a program, approved by the Secretary, of training and retraining both qualified and certified persons needed to carry out functions prescribed in the Act.

**§ 77.107-1 Plans for training programs.**

Each operator must submit to the district manager, of the Coal Mine Safety and Health District in which the mine is located, a program or plan setting forth what, when, how, and where the operator will train and retrain persons whose work assignments require that they be certified or qualified. The program must provide—

(a) For certified persons, annual training courses in the tasks and duties which they perform as certified persons, first aid, and the provisions of this part 77; and

(b) For qualified persons, annual courses in performance of the tasks which they perform as qualified persons.

[63 FR 53761, Oct. 6, 1998]

**Subpart C—Surface Installations**

**§ 77.200 Surface installations; general.**

All mine structures, enclosures, or other facilities (including custom coal preparation) shall be maintained in