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shall be sent prepaid to Approval and Certification Center, Box 201B Industrial Park Road, Dallas Pike, Triadelphia, W. Va. 26059.

(b) After the device has been inspected by MSHA, the applicant will be notified as to the amount of material that he will be required to supply for the tests and of the date on which testing will be started.

(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.

(d) Formal tests will not be made unless the device has been completely developed and is in a form that can be marketed.

(e) The results of the tests shall be regarded as confidential by all present at the tests and shall not be made public in any way prior to the formal approval of the device by MSHA.

(f) No verbal report of approval or disapproval will be made to the applicant. After MSHA has considered the results of the inspections and tests, a formal written report of the approval or disapproval will be made to the applicant by MSHA. The applicant shall not advertise his device as being permissible or approved, or as having

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passed the tests, prior to receipt of the formal notice of approval.

[Sched. 9B, 4 FR 1555, Apr. 11, 1939, as amended by Supp. 1, 20 FR 2975, May 4, 1955; 43 FR 12315, Mar. 24, 1978]

§ 23.6 General requirements for approval.

Telephones and signaling devices shall be durable in construction, practical in operation, and suitable for conditions of underground service. They shall offer no probable explosion hazard under normal operation if use in gassy or dusty mine atmospheres.

§ 23.7 Specific requirements for approval.

(a) The circuits external to telephones and signal devices shall be intrinsically safe; that is, the electrical design and construction of telephones and signal devices shall be such that neither contact between wires comprising the external circuits nor contact of tools or other metal objects with external terminals and circuits will result in electrical sparks capable of igniting explosive methane-air mixtures (or such mixtures with coal dust in suspension) during normal operation of the telephones or signal devices.

(b) All parts which, during normal operation, are capable of producing sparks that might ignite explosive methane-air mixtures shall be enclosed in explosion-proof compartments. All openings in the casings of such compartments shall be adequately protected. It is desirable that openings be as few as possible. All joints in the casings of an explosion-proof compartment shall be metal-to-metal so designed as to have a width of contact, measured along the shortest path from the inside to the outside of the compartment, of not less than 1 inch if the unoccupied volume (air space) in the compartment is more than 60 cubic inches. For unoccupied volume of 60 cubic inches or less, a $\frac{3}{8}$ -inch width of contact will be acceptable.

(c) All bolts and screw holes shall be "blind" or bottomed if the omission of a bolt or screw would otherwise leave an opening into the compartment. An adequate lock or seal shall be provided to prevent tampering and exposure of