352.201 Roof control plan -- Retreat mining or pillaring operations.

(1) The roof and ribs of all active underground roadways, travelways, and working places shall be supported or otherwise controlled adequately to protect persons from falls of the roof or ribs. A roof control plan and revision thereof suitable to the roof conditions and mining system of each mine and approved by the commissioner or his authorized representative shall be adopted and set out in printed form within six (6) months after June 16, 1972, and shall be kept on file in the district office of the district where the mine is located. The plan shall show the type of support and spacing approved by the commissioner. No person shall proceed beyond the last permanent support unless adequate temporary support is provided. A copy of the plan shall be furnished the commissioner or his authorized representative and shall be available to the miners and their representatives.

(2) The method of mining followed in any mine shall not expose the miner to unusual dangers from roof falls caused by excessive widths of rooms and entries or faulty pillar recovery methods.

(3) The licensee, in accordance with the approved plan, shall provide at or near each working face and at other locations in the mine as the commissioner or his authorized representative may prescribe an ample supply of suitable materials of proper size with which to secure the roof of all working places in a safe manner. Safety posts, jacks, or other approved devices shall be used to protect the workmen when roof material is being taken down, crossbars are being installed, roof bolt holes are being drilled, roof bolts are being installed, and in other circumstances that may be appropriate. Loose roof and overhanging or loose faces and ribs shall be taken down or supported. Except in the case of recovery work, supports knocked out shall be replaced promptly.

(4) Roof bolt recovery for reuse shall not be permitted.

(5) Where workmen are exposed to danger from falls of roof, face, and ribs they shall examine and test the roof, face, and ribs before any other work is performed or machinery is started, and as frequently thereafter as may be necessary to insure safety. When dangerous conditions are found, they shall be corrected immediately.

(6) Within forty-eight (48) hours before the commencement of any retreat mining or pillaring operations, the mine operator shall notify the Office of Mine Safety and Licensing of its intention of beginning or resuming retreat mining or pillaring. The Office of Mine Safety and Licensing shall document such notification in writing. Upon such notification within the forty-eight (48) hour period from a mine operator, and, before retreat mining or pillaring operations can begin, the office shall ensure that every person who will be participating in the retreat mining operations is trained in the operator's pillar removal plan.

Effective: June 26, 2007

History: Amended 2007 Ky. Acts ch. 94, sec. 21, effective June 26, 2007. -- Amended 1996 Ky. Acts ch. 308, sec. 34, effective April 9, 1996. -- Amended 1976 Ky. Acts ch. 174, sec. 12. -- Created 1972 Ky. Acts ch. 303, sec. 19.

Legislative Research Commission Note (4/9/96). The action taken with respect to this statute by 1996 Ky. Acts ch. 308 was to have become effective April 8, 1996, under

Section 51 of that Act. The Act, however, did not become effective until April 9, 1996, when the Governor's signed copy of the Act was filed with the Secretary of State.