

## CHAPTER 211.

[ H. B. 67. ]

## COAL MINING.

AN ACT relating to coal mining and amending section 12, chapter 36, Laws of 1917, as amended by section 8, chapter 306, Laws of 1927; and sections 37, 67, 90, 96, 108, 117, 118, 128, 154, 165, 184, 192 and 207, chapter 36, Laws of 1917 (secs. 8647, 8672, 8702, 8725, 8731, 8743, 8752, 8753, 8763, 8789, 8800, 8819, 8827 and 8842, Rem. Rev. Stat.).

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That section 12, chapter 36, Laws of 1917, as amended by section 8, chapter 306, Laws of 1927 (sec. 8647, Rem. Rev. Stat.) be amended to read as follows: Amendments.

Section 12. All applicants for First and Second Class Certificates of Competency, shall be citizens of the United States. The State Mining Board with the addition of the Chief State Mine Inspector, shall conduct the examination of applicants for First and Second Class Certificates, and issue the same under the provisions of this act. Board to examine applicants.

SEC. 2. That section 37, chapter 36, Laws of 1917 (sec. 8672, Rem. Rev. Stat.) be amended to read as follows: Amendments.

Section 37. Every main ventilating fan shall be provided with a recording instrument by which the ventilating pressure of the fan shall be registered, and the registration of each day, with the date thereof, shall be kept in the office of the mine for future reference for one year, the same to be produced upon request of the Inspector. Pressure record kept.

No fan, unless driven by electricity or compressed air, shall be placed in any mine. In gaseous mines, if the fan is electrically driven, the motor and starter shall be located in pure intake air, and shall not be less than twenty-five (25) feet outby the last open cross cut. Placement of fan.

Amendments.      SEC. 3. That section 67, chapter 36, Laws of 1917 (sec. 8702, Rem. Rev. Stat.) be amended to read as follows:

Hoisting  
limitations.

Section 67. Not more than six (6) persons per ton of hoisting capacity shall be hoisted or lowered in any cage or car in any shaft, slope or incline at any one time: *And, provided,* That not more than one person for each three (3) square feet of floor surface shall be hoisted or lowered in any cage at any one time: *And provided further,* That in shafts, slopes or inclines, at all hoists not equipped with overwinding device, a competent attendant, in addition to the hoistman, shall be stationed in close proximity to engine controls at such time as men are being hoisted or lowered on regular man trips.

Amendments.      SEC. 4. That section 90, chapter 36, Laws of 1917 (sec. 8725, Rem. Rev. Stat.) be amended to read as follows:

Steam  
locomotives  
prohibited.

Section 90. When a steam locomotive is used for the purpose of hauling coal out of a mine, the tunnel or tunnels through which the locomotive passes shall be properly ventilated and kept free as far as practicable of noxious gases. The use of steam locomotives shall be prohibited in any mines opened in the state after the passage of this act, or in mines already opened that are not now using the same.

Internal  
combustion  
engines  
prohibited.

The use of mining locomotives, pumping engines, hoists, trucks, or any other form of machinery driven or propelled by internal combustion engines, in which power is generated by burning within the cylinder or cylinders, a mixture of air and gas, or air and alcohol, gasoline, fuel oil, oil distillate, or other liquid fuel, within any coal mine or mines, is hereby declared to be unlawful, and any person or persons, body corporate, agent, manager or employer who shall violate any of the provisions of this section shall be guilty of a misdemeanor.

SEC. 5. That section 96, chapter 36, Laws of 1917 (sec. 8731, Rem. Rev. Stat.) be amended to read as follows: Amendments.

Section 96. On or before the twenty-fifth day of January in each year, the Operator or Superintendent of every mine shall send to the office of the State Mine Inspector a correct report specifying with respect to the year ending the thirty-first of December preceding, containing the following: Annual report required.

Name of company.....  
 Postoffice address.....

OFFICERS	Name	Address
President	.....	.....
Manager	.....	.....
General superintendent	.....	.....
Mining engineer	.....	.....
Superintendent	.....	.....
General foreman	.....	.....
Outside foreman	.....	.....
Inside mine foreman	.....	.....
Location of mine	.....	.....
On what railroad	.....	.....
Principal market	.....	.....
Average value of coal per short ton at mine	.....	.....
Average value of coke per short ton at mine	.....	.....
Price paid per gross ton for mining	.....	.....
Are wages paid monthly or semi-monthly	.....	.....
Number of feet of gangway or entry driven	.....	.....
Also number of feet of slope or shaft driven or sunk during year	.....	.....
Scale of wages paid above ground	.....	.....
Scale of wages paid under ground in the different classes	.....	.....

Contents.

A report of ventilating and other important machinery installed during the year.

A report of new openings.

On or before the 15th day of each month, the Operator or Superintendent shall also furnish the State Mine Inspector with a monthly report relative to the month preceding, containing the following information: Monthly report.

Name of company.....  
 Name or number of mine.....  
 Location of mine.....  
 County .....

Contents.

## REPORT IN SHORT TONS

No. tons of coal shipped.....  
 No. sold to employees and local trade.....  
 No. used for power.....  
 No. charged into ovens for coke.....  
 Total production of coal.....  
 Total production of coke.....  
 No. days operated.....  
 No. inside employees.....  
 No. outside employees.....  
 No. killed.....  
 No. injured.....  
 No. widows.....  
 No. orphans .....

Penalty.

The Operator or the Superintendent who fails to comply with the provisions of this section shall be deemed guilty of a misdemeanor.

Amendment.

SEC. 6. That section 108, chapter 36, Laws of 1917 (sec. 8743, Rem. Rev. Stat.) be amended to read as follows:

Dangers to  
be removed  
or warnings  
posted.

Section 108. Whenever any dangerous condition is known to exist, or is reported by others to the Mine Foreman, he shall give prompt attention to its removal, and in case it is impracticable to remove the danger at once, he shall post danger signs warning every person whose safety is menaced thereby, to remain away from the place that the dangerous conditions affect. He or his assistant shall once each week travel and examine all the air courses and traveling ways, and in addition all the openings that give access to old workings or falls. He shall record and sign in ink in a book provided for that purpose the results of these weekly examinations.

Weekly  
inspection.

Record of  
results.

Amend-  
ments.

SEC. 7. That section 117, chapter 36, Laws of 1917 (sec. 8752, Rem. Rev. Stat.) be amended to read as follows:

Shot-  
firing.

Section 117. No shot-firer or any other person shall fire a shot in any working place if he can detect explosive gas in the place. In dusty mines no shot shall be fired unless the place in which the shot is to be fired is thoroughly wetted or otherwise treated

to prevent the existence of any dust for a distance of not less than one hundred (100) feet from the shot to be fired.

When the presence of coal dust is likely to enter into an explosion hazard, the Chief Mine Inspector may require that the dry area be thoroughly rock dusted to the extent that the incombustible content shall be at least seventy per cent (70%).

May require rock dusting.

In all advancing entries, counters and haulage inclines where an undue quantity of dry coal dust is present, the Chief Mine Inspector may require that the rock dusting shall be kept within one hundred (100) feet of the working face. The rock dust shall be of such material as will meet the requirements of the U. S. Bureau of Mines in exclusion of deleterious substances.

SEC. 8. That section 118, chapter 36, Laws of 1917 (sec. 8753, Rem. Rev. Stat.) be amended to read as follows:

Amendments.

Section 118. Within one year after this act goes into effect, every mine employing as many as twenty (20) underground men, shall have and maintain ready for use at all times, at least three (3) sets of mine rescue apparatus, and one reviving device, of a type approved by the United States Bureau of Mines.

Rescue apparatus.

For each one hundred (100) underground men in addition to the first twenty (20), one additional apparatus shall be maintained, up to six (6) sets.

At every mine where mine rescue equipment is maintained, supplies for same shall be kept on hand to last at least twenty-four (24) hours. The superintendent of the mine, or some person designated by him for that purpose, shall examine each apparatus once each month and report the condition of same, also the amount of supplies on hand at the time of such examination. This report shall be made in writing by the person making the examination and a record of same shall be kept at the mine office

Supplies for apparatus.

Examine monthly and report.

and shall be accessible to the Mine Inspector or his Deputy at all times.

Contiguous operations.

Whenever two or more mines are operated by the same company within a radius of seven (7) miles, they shall be considered as one mine. However, mines within a radius of seven (7) miles and connected by a wagon road or railroad, may agree to equip and maintain one central station at which there shall not be less than six (6) apparatuses and one reviving device; when more than four (4) mines are associated at one central station, an additional machine must be added: *Provided, however,* That any coal mining operation within one hundred (100) miles of a properly equipped and maintained U. S. Bureau of Mines Rescue Station, in lieu of the provisions of this section, shall be required to furnish such personnel as the Bureau of Mines or the State Mine Inspector may require for adequate training in mine rescue and first aid work, the cost of the training of said personnel to be borne by the Mine Operator.

Proviso.

Amendments.

SEC. 9. That section 128, chapter 36, Laws of 1917 (sec. 8763, Rem. Rev. Stat.) be amended to read as follows:

Tamping bars.

Section 128. The needle used in preparing a blast of black powder shall be made of copper, and the tamping bar shall be tipped with at least five (5) inches of solid copper. All other explosives where a cap or detonator is used for the purpose of exploding the blast, shall be tamped with a wooden tamping bar. In no case shall iron or steel or other metal that is liable to cause a spark while tamping, to be used for the purpose of tamping any explosive. Neither shall a scraper be used for tamping. It shall be unlawful for any person to have in his possession in the mine underground, any iron or steel needle or tamping bar not tipped as above required.

Depth of blast holes.

No hole shall be drilled more than six (6) feet in depth for the purpose of blasting: *Provided, how-*

ever, That where mining machines are used holes may be drilled to the depth of the cut.

Bulldozing, mudcapping, or other unconfined shots shall not be fired in any coal mine, excepting and provided the confronting situation is such that it cannot safely be overcome by any other method. In such case, and then only in the interests of safe practice may such a shot or shots be placed, and the area within fifty (50) feet thereof shall be thoroughly wetted down or rock dusted before firing, and the shot or shots be packed or heavily capped with rock dust.

Unconfined shots prohibited.

Exception.

Limitation.

Any violation of this section shall be a misdemeanor and the offender shall be punished under the provisions of this act.

Penalty.

SEC. 10. That section 154, chapter 36, Laws of 1917 (sec. 8789, Rem. Rev. Stat.) be amended to read as follows:

Amendments.

Section 154. Every stationary motor underground, together with its starting resistance, shall be protected by a fuse or circuit breaking device on at least one pole for direct current; and all poles for alternating current motors, and by switches arranged to entirely cut off the power from the motor. The above devices shall be installed in a convenient position near the motor.

Protection of stationary motors.

*Motors in Gaseous Mines:* In any gaseous portions of a mine all motors, unless placed in such rooms as are separately ventilated with intake air, shall have all their current carrying parts, also their starters, terminals and connections, completely closed in explosion-proof inclosures made of non-inflammable materials. These inclosures shall not be opened except by an authorized person, and then only when the motor is switched off. The power shall not be switched on while the inclosures are open.

Motors in gaseous mines.

*Mechanization:* In any gaseous portion of a mine, all electrical equipment shall be of permissible type

Mechanization.

Electrical  
equipment  
in gaseous  
mines.

approved by the U. S. Bureau of Mines, unless used strictly in pure intake air. Inby last open cross cut is not to be considered as pure intake air. (a) Frequent inspections must be made. All electrical parts including trailing cables and wiring must be kept in a safe condition. A permissible junction box must be used in connecting the power circuit, unless the connections are made in pure intake air. (b) All bolts, nuts, screws, and other means of fastenings must be in place, properly tightened and secured. The maximum clearance shall not exceed .004 of an inch on all flange fits. (c) Inspections, repairs, or renewals of electrical parts must not be made unless the current is disconnected from the power circuit. The power must not be turned on until all parts are properly assembled. (d) Spliced cables must not be used unless the splices are properly made and vulcanized. (e) The frame of all electrical equipment must be connected to an adequate ground. The power wires must not be used for grounding. (f) The power shall not be turned on any piece of electrical equipment until a test for explosive gas has been made, unless said equipment is operated in intake air. (g) A test for gas must be made before starting the mining machine or electric drill and also a test for gas must be made at least every ten (10) minutes while the machine or drill is in operation. (h) Water must be used on the cutter bar of mining machines while in operation in dusty conditions. (i) It is positively forbidden to use mining machines or electrical drills unless they are in good condition. (j) Hand drills shall not be operated on a higher potential than low voltage.

Not leave  
machine.

The person in charge of a coal cutter or drilling machine shall not leave the machine while it is working, and shall, before leaving the working place, see that the current is cut off from the trailing cables.

In any gaseous portion of a mine if any electric sparking or arc be produced outside of a coal-cutting



or other portable motor, or by the cable or rails, the machine shall be stopped and not worked again until the defect is repaired, and the occurrence shall be reported to an official of the mine.

Stop until defect repaired.

SEC. 11. That section 165, chapter 36, Laws of 1917 (sec. 8800, Rem. Rev. Stat.) be amended to read as follows:

Amendments.

Section 165. No boy under eighteen (18) years of age, and no girl or woman of any age, shall be employed or permitted to be in any mine for the purpose of employment therein. No boy under the age of sixteen (16) years, and no girl or woman of any age, shall be employed or permitted to be in or about the surface workings of any mine for the purpose of employment: *Provided*, That this prohibition shall not affect the employment of boys or girls or women for clerical or messenger duty about the surface workings as permitted under the State and Federal Laws.

Employment of women and minors prohibited.

Exceptions.

When an employer is in doubt as to the age of any boy applying for employment in or about the mine, he shall demand and receive proof of the age of such boy by certificate from the parents or guardian of such boy before he shall be employed. Said certificate shall consist of an affidavit, sworn and subscribed to before a Justice of the Peace or notary public, that he, the said boy, is of the prescribed age for employment.

Proof of age.

Affidavit.

Any person swearing falsely in regard to the age of a boy shall be guilty of perjury and shall be punished as provided in the statutes of the state.

Penalty for false swearing.

SEC. 12. That section 184, chapter 36, Laws of 1917 (sec. 8819, Rem. Rev. Stat.) be amended to read as follows:

Amendment.

Section 184. Any accumulation of explosive gas in a mine shall not be removed by brushing, or by blowing out by the use of compressed air.

Brushing gas prohibited.

Amendments. SEC. 13. That section 192, chapter 36, Laws of 1917 (sec. 8327, Rem. Rev. Stat.) be amended to read as follows:

Openings  
fenced or  
filled.

Section 192. Every abandoned slope, shaft, air-hole or drift, shall be fenced or filled in such a manner as to afford proper and continuous protection to all persons and stock endangered thereby.

Amendments. SEC. 14. That section 207, chapter 36, Laws of 1917 (sec. 8842, Rem. Rev. Stat.) be amended to read as follows:

Miner to  
examine  
working  
place.

Section 207. The miner shall examine his working place before beginning work, and take down all dangerous slate, or otherwise make it safe by properly timbering it, before commencing to mine or load coal. He shall examine his place to see whether the Fire Boss has left the date marks indicating his examination thereof, and if said marks cannot be found it shall be the duty of the miner to notify the Mine Foreman, or the Assistant Mine Foreman, of the fact immediately. The miner shall at all times be careful to keep his working place in a safe condition.

Safety rules.

Should he at any time find his place becoming dangerous from gas or from roof or from any unusual condition that may arise, he shall at once cease working and inform the Mine Foreman, or the Assistant Mine Foreman, of said danger, but before leaving his place he shall put some plain warning across the entrance thereto to warn others against entering into danger.

After each blast he shall exercise care in examining the roof and coal, and shall secure them safely before beginning work.

He shall order all props, cap pieces, and all other timbers necessary at least one day in advance of needing them, or as provided for in the rules of the mine. If he fails to receive said timbers and finds his place unsafe, he shall vacate it until the necessary timbers are supplied.

The management of any mine may submit to the Mine Inspector, for his approval, uniform rules for timbering at mines where conditions may be favorable for same. If approved by the Mine Inspector, they will become a part of the rules of said mine. Safety rules.

In all working places where it is necessary to temporarily remove posts, substitute posting shall be done when necessary for safety and such posts as are removed must be replaced as soon as possible by permanent timbers.

Under no condition shall the miner use coal dust or other combustible material for tamping in any gaseous or dusty mines.

When places are liable to generate sudden outbursts of explosive gas, no miner shall be allowed to charge or fire shorts except under the supervision and with the consent of the Mine Foreman, or the Assistant Mine Foreman, or some other competent person designated by the Mine Foreman for that purpose.

The miner shall remain during working hours in the place assigned to him, and he shall not leave his working place without the consent of the Mine Foreman, Assistant Mine Foreman, or Fire Boss, unless called upon to assist others, or in case of need. He shall not wander about the hauling roads or enter abandoned or idle workings.

Passed the House February 5, 1943.

Passed the Senate March 8, 1943.

Approved by the Governor March 20, 1943.