

LEGAL NOTICE
STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF INTENTION TO ADOPT AND HOLD A PUBLIC HEARING ON
MINE SAFETY RULES

The Chief for the Division of Mineral Resources Management, pursuant to sections 1513.02 and 1561.03 and Chapter 119. of the Revised Code, hereby gives notice of his intention to amend, rescind, or adopt rules:

1501:10-1-01 (Adopt)
1501:10-1-07 (Adopt)
1501:10-2-01 (Adopt)
1501:10-2-02 (Adopt)
1501:10-2-03 (Adopt)
1501:10-2-04 (Adopt)
1501:10-2-05 (Adopt)
1501:10-2-06 (Adopt)
1501:10-2-07 (Adopt)
1501:10-2-08 (Adopt)
1501:10-2-09 (Adopt)
1501:10-2-10 (Adopt)
1501:10-2-11 (Adopt)
1501:10-2-12 (Adopt)
1501:10-2-13 (Adopt)
1501:10-2-14 (Adopt)
1501:10-2-15 (Adopt)
1501:10-2-16 (Adopt)
1501:10-2-17 (Adopt)
1501:10-2-18 (Adopt)
1501:10-2-19 (Adopt)
1501:10-2-20 (Adopt)
1501:10-2-21 (Adopt)
1501:10-2-22 (Adopt)
1501:10-2-23 (Adopt)
1501:10-2-24 (Adopt)
1501:10-2-25 (Adopt)
1501:10-2-26 (Adopt)
1501:10-2-27 (Adopt)

The proposed rules deal with:

Definitions

Incorporation by reference

Applicability

Definitions for Chapter 1501:10-2 of the Administrative Code

General requirements for underground use of diesel-powered equipment

Diesel-powered equipment package
Exhaust emissions control and conditioning systems
Ventilation
Exhaust emissions monitoring and control
Underground diesel fuel storage facilities
Transfer of diesel fuel
Containers for transport of diesel fuel
Fire suppression for equipment and transportation
Fire suppression for underground diesel fuel storage facilities
Prohibition on the use of certain starting aids
Fueling
Fire and safety training
Maintenance
Records
Duties of equipment operator
Schedule of maintenance
Establishing baseline exhaust emissions values for monitoring and control
Equipment maintenance diagnostic testing
General requirements for training diesel-powered equipment operators
Equipment-specific training for diesel-powered equipment operators
Diesel mechanic training
Additional requirements for the operation of diesel-powered equipment
Underground mine inspector diesel inspection training
Diesel Technical Advisory Committee

The reason for adopting these rules is to comply with section 1513.02 (A)(8) of the Revised Code, created by HB 443 of the 126th General Assembly, which states that the Chief of the Division of Mineral Resources Management shall: "Establish programs and adopt rules and procedures governing terms, limitations, and conditions for the use of diesel equipment in an underground coal mine."

A public hearing on the proposed rules will be held at 9:00 a.m. on Wednesday, September 14, 2011; at the Ohio Department of Natural Resources; Division of Mineral Resources Management; 2045 Morse Road; Building H-2 Conference Room; Columbus, Ohio 43229. At the public hearing, any person affected by the proposed rules may appear and be heard in person, or by their attorney, or both, and may present testimony, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rules, if adopted, will be unreasonable or unlawful.

Copies of the proposed rules are available on the Register of Ohio website, <http://www.registerofohio.state.oh.us/index.jsp>. For persons who do not have access to the Internet, copies of the proposed rules are available from the Ohio Department of Natural Resources, Division of Mineral Resources Management, 2045 Morse Road, Building H-2, Columbus, Ohio 43229. If you have any questions, please call the Division of Mineral Resources Management at (614) 265-6633.