Chapter Ind 3

MINES, PITS AND QUARRIES

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QUARRIES AND PITS, Ch. Ind. 2, **History:** 1-2-56; Ind 2.01 to Ind 2.20, inclusive, were repealed, and Ind 2.01 to Ind 2.09, inclusive, and Ind 2.11 to Ind 2.14, inclusive, were created, Register, April, 1958, No. 28, eff. 5-1-58; Ch. Ind 2 was repealed, Register, April, 1972, No. 196, eff. 5-1-72.

MINES, Ch. Ind 3, **History:** 1-2-56; r., Register, April, 1972, No. 196, effective 5-1-72.

MINES, PITS AND QUARRIES, Ch. Ind 3, **History:** Recreated, Register, April, 1972, No. 196, effective 5-1-72.

Ind 3.001 Scope. The provisions of this code shall apply to all openings or excavations in earth for the purpose of extracting minerals or other products, and equipment related to processing and/or manufacturing of ores, aggregates, cements, lime, clay, and silica sands.

Note: The following rules are based on those of Title 30—Mineral Resources, Chapter 1—Bureau of Mines, Department of the Interior, published in the Federal Register, Volume 34, No. 145, July 31, 1969.

History: Cr. Register, April, 1972, No. 196, eff. 5-1-72; renum. to be Ind 3.001, Register, April, 1973, No. 208, eff. 5-1-73.

Ind 3.01 Inspections. (1) The authorized inspectors of the department, upon presenting appropriate credentials to the owner, operator, or agent in charge, are authorized—

(a) To enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace or environment where work is performed by an employee of an employer; and

(b) To inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any such employer, owner, operator, agent or employee.

(2) The inspector before making his inspection shall contact a representative of the employer and a representative authorized by his employees who shall be given an opportunity to accompany the inspector during the physical inspection of any workplace under subsection (1) for the purpose of aiding such inspection.

(a) Where there is no authorized employee representative, the inspector shall consult with a reasonable number of employees concerning matters of health and safety in the workplace.

Note: The department policy is not to give advance notice, but in the scheduling and in the act of inspecting it may not always be possible to avoid advance notice or to obtain accompaniment as, for example, inside boilers or in precarious locations of elevator installations, but otherwise these rules will be diligently observed.

History: Cr. Register, April, 1973 No. 208, eff. 5–1–73.

Ind 3.02 Definitions. (1) ABANDONED MINE. All work has stopped on the mine premises and an office with a responsible person in charge is no longer maintained at the mine.

(2) ABANDONED WORKINGS. Deserted mine areas in which further work is not intended.

(3) ACTIVE WORKINGS. Areas at, in, or around a mine or plant where men work or travel.

(4) ADVISORY. A recommended safe practice as opposed to a mandatory rule. See Appendix A.

(5) APPROVED. Tested or accepted by the department of industry, labor and human relations for a specific purpose.

Note: The department may accept nationally recognized standards.

(6) AUTHORIZED PERSON. A person approved or assigned by management to perform a specific type of duty or duties or to be at a specific location.

(7) AUXILIARY FAN. A fan used to deliver air to a working place off the main airstream; generally used with ventilation tubing.

(8) BARRICADED. A means to prevent the passage of persons, vehicles, or flying material.

(9) BERM. A pile or mound of material capable of restraining a vehicle.

(10) BOOSTER FAN. A fan installed in the main airstream or a split of the main airstream to increase airflow through a section or sections of a mine.

(11) COMBUSTIBLE. Capable of being ignited and consumed by fire.

(12) COMPANY OFFICIAL. A member of the company supervisory or technical staff.

(13) COMPETENT PERSON. A person having abilities and experience that fully qualify him to perform the duty to which he is assigned.

(14) DEPARTMENT. The department of industry, labor and human relations.

(15) DISTRIBUTION BOX. A portable apparatus with an enclosure through which an electric circuit is carried to one or more cables from a single incoming feed line; each cable circuit being connected through individual overcurrent protective devices.

(16) ELECTRIC GROUNDING. To connect with the ground to make the earth part of the circuit.

(17) EMPLOYE. A person who works for wages or salary in the service of an employer.

(18) EMPLOYER. A person or organization which hires one or more persons to work for wages or salary.

(19) ESCAPEWAY. A passageway by which persons may leave if the ordinary exit is obstructed.

(20) EXPLOSIVE. Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. Explosives include, but are not limited to black powder, dynamite, nitroglycerin, fulminate, ammonium nitrate when mixed with a hydrocarbon, and/or other blasting agents.

(21) FACE OR BANK. That part of any mine, pit, or quarry where excavating is progressing or was last done.

(22) FLAMMABLE. Capable of being easily ignited and of burning rapidly.

(23) FLASH POINT. The minimum temperature at which sufficient vapor is released by a liquid or solid to form a flammable vapor–air mixture at atmospheric pressure.

(24) HIGHWAY. Any public street, public alley, or public road.

(25) HIGH POTENTIAL. More than 650 volts.

(26) HOIST. A power-driven windlass or drum used for raising ore, rock, or other material from a mine, and for lowering or raising men and material.

(27) LAY. The distance parallel to the axis of the rope in which a strand makes one complete turn about the axis of the rope.