

**Section 220.190 Slope and Shaft Sinking**

- a) Slopes and Shafts; approval of plans.

Each operator of a coal mine shall comply with Subpart T, Section 77.1900 of the Code of Federal Regulations, Title 30-Mineral Resources, and any amendments, additions, and alterations which may be made with respect to any Section of such subpart at any time subsequent to the filing of these Surface Installation Health and Safety Rules (62 Ill. Adm. Code 220), in preparing any slope and shaft sinking plan, and a copy of such approved plan shall be furnished to the Illinois Department of Natural Resources, Office of Mines and Minerals for the approval of the Mining Board.

- b) Compliance with approved slope and shaft sinking plans.

Upon approval by the Mining Board of a slope or shaft sinking plan, the operator shall adopt and comply with same.

- c) Preshift and onshift inspections; reports.

- 1) Examinations of slope and shaft areas shall be made by a certified shaft-slope examiner for hazardous conditions, including tests for methane and oxygen deficiency:
    - A) Within ninety (90) minutes before each shift;
    - B) At least once (1) on any shift during which men are employed inside any slope or shaft; and
    - C) Both before and after blasting.
  - 2) The surface area surrounding each slope and shaft shall be inspected by a certified person and all hazards in the vicinity shall be corrected before men are permitted to enter the excavation.
  - 3) All hazards found during any preshift or onshift inspection shall be corrected before men are allowed to enter, or continue to work in such slope or shaft, except those persons necessary to correct those hazards. If hazardous conditions cannot be corrected, or excessive methane concentrations cannot be diluted, the excavation shall be vacated and no person shall be permitted to reenter the slope or shaft to continue excavation operation until the hazardous condition has been corrected.
  - 4) No work shall be performed in any slope or shaft, no drilling equipment shall be started, and no electrical equipment shall be energized if the methane content in such slope or shaft is 1.0 volume per centum, or more.
  - 5) Nothing in this Section shall prevent the specific assignment of persons in the slope or shaft for purpose of abating excessive methane concentrations or any other hazardous condition.
  - 6) The results of all inspections conducted in accordance with this Section shall be recorded daily in a book approved by the Department of Natural Resources, Office of Mines and Minerals, and shall be signed by the person making the inspection and shall be countersigned after each examination by a certified shaft-slope supervisor.
- d) Methane and oxygen deficiency tests; approved devices  
Tests for oxygen deficiency shall be made with a permissible flame safety lamp or other means approved by the Department of Natural Resources, Office of Mines and Minerals, and tests for methane shall be made with a methane detector approved by the Department of Natural Resources, Office of Mines and Minerals, or a flame safety lamp.
- e) Diesel powered equipment.  
The use of diesel powered equipment underground in shaft and slope sinking operations shall be prohibited. This regulation shall prevail until a final determination has been made by qualified doctors and scientists that there are no injurious effects on workmen engaged in duties requiring the use of diesel powered equipment in slopes and shafts, and until such time that facts of the study currently being jointly conducted by the National Institute for Occupational Health and Safety and the Mining Enforcement and Safety Administration of the United

States Department of the Interior are conclusive. At the time when such studies are completed and conclusive with regard to the potential of such injurious effects on workmen, the Mining Board shall reconsider the advisability of the use of such equipment.

- f) Hoists and hoisting; minimum requirements; requirement of compliance with existing statutes and rules.
  - 1) Hoists shall include all hoisting equipment used in the transportation of persons and materials in shaft or slopes. All Federal and state statutes and rules applicable to the hoisting operations shall remain in force and shall be complied with.
  - 2) Hoists employed in transporting persons and material in any slope or shaft shall have rated capacities consistent with the loads to be handled and the recommended safety factors of the ropes used in such hoists. The rated capacity shall be posted within view of the hoist operator.
  - 3) The American National Standards Institute, "Specification for the Use of Wire Ropes for Mines," M11.1-1960, shall apply in the use, selection, installation, and maintenance of wire ropes. The following static load safety factors shall be used for selecting ropes to be used on hoists and for determining when such ropes shall be removed from hoists:

factor	Length of rope in shaft (feet)	Minimum factor of safety (new rope)	M i n i m u m of safety (remove)
	500 or less	8	6.4
	500 to 1,000	7	5.8
	1,000 to 2,000	6	5.0
	2,000 to 3,000	5	4.3
	3,001 or more	4	3.6

- 4) Each hoist employed in drilling, mucking, or other excavating operations shall be equipped with an accurate and reliable indicator of the position of the cage, platform, or bucket, which shall be installed in clear view of the hoist operator.
- 5) Hoist drive units shall be protected from the weather, and the mechanism that operates the brakes shall be guarded to prevent material or tools from accidentally fouling or jamming the brake system.
- g) Communications between shaft and slope bottoms and hoist operations.
  - 1) There shall be at least two (2) effective methods of signaling approved by representatives of the Department of Natural Resources, Office of Mines and Minerals, one of which shall be audible to the hoistman at all times. The signaling system in use shall effectively notify all persons in all work

areas of the shaft or slope being developed wherever any equipment is moving up or down the slope or shaft. Signal codes used shall be posted conspicuously at the entrance to the slope or shaft, in the working areas of each slope or shaft, and in clear view of the hoistman. Only those persons designated by the operator shall be authorized to operate the signal system in the slope or shaft and all persons in the slope or shaft shall be made aware of who is in charge of signaling the hoistman at all times.

- 2) Signaling systems used for communication between slopes and shafts and the hoistman shall be tested daily.
- h) Hoist safeguards; general.
- 1) Hoists used to transport persons shall be equipped with brakes capable of stopping and holding the cage, bucket, platform, or other device when fully loaded. Such brakes shall be operated by the hoistman immediately prior to transporting persons. Conveyances shall not be lowered by the brakes alone, except in an emergency.
  - 2) When persons are transported by a hoist or by the hoisting operation a second person familiar with and qualified to stop the hoist shall be in direct and constant attendance, except where the hoist is fully equipped with overspeed, overwind, and automatic stop devices.
  - 3) Overwind devices shall be designed and installed to automatically stop the cage, bucket, or platform before it contacts the head sheave or other positive stopping obstacles under all conditions. Overwind devices shall be tested at the time of installation and prior to initial use by raising the cage, bucket, or platform at maximum speed until the overwind device is actuated.
- i) Hoists; inspection.
- 1) Hoists used to transport persons shall be inspected daily, and each such inspection shall include examination of the headgear (headframe, sheave wheels, etc.), ropes, connections, links and chains, signaling systems, and other facilities.
  - 2) Prior to each working shift and before a hoist is returned to service after it has been out of normal service for any reason, it shall be operated by the hoistman through one (1) complete cycle of operation before any persons or materials are permitted to be transported.
  - 3) The results of all inspections conducted in accordance with this section shall be recorded after each inspection in a book approved by the Department of Natural Resources, Office of Mines and Minerals, and shall be signed by a person making the inspection and shall be signed or countersigned daily by a certified shaft-slope supervisor required by this Section of this Act.
- j) Hoist construction; general.

- 1) Hoisting ropes shall be equipped with a spelter-filled socket, wedge socket, or thimble with an adequate number of clamps properly spaced and installed along the rope.
  - 2) Slope cars when used for transporting persons shall be provided with two (2) bridle chains or cables connected securely to the rope at least three (3) feet above the socket or at least three (3) feet above the last rope clip if a thimble is used and which shall be securely fastened to the slope car when transporting persons or material.
  - 3) Where hooks are used to attach cages or buckets to the socket or thimble of a hoisting rope, they shall be self-closing.
  - 4) Hoisting ropes shall contain at least three (3) full turns on the hoist drum when the rope is extended to its maximum working length. At least one (1) full turn of the hoist rope shall be placed around the drum shaft or around the spoke of a free drum and both shall be fastened securely by means of clamps.
  - 5) Platforms used for transporting persons shall be equipped with a leveling indicator on the work deck. The platform shall be maintained in a level position at all times except when moving the platform. Self-dumping cages, platforms, or other devices used for transporting persons shall have a locking device to prevent tilting when persons are transported.
  - 6) All suspended work decks in shafts shall be of such construction to prevent overturning in the event of failure of one (1) of the suspension cables.
- k) Hoist installations; use.
- 1) Where persons are transported by means of a hoist and the depth of the shaft exceeds fifty (50) feet, the hoist rope shall be suspended from a substantial hoisting installation which shall be high enough to provide working clearance between the bottom of the sheave and the top of the rope attachment to the conveyance.
  - 2) Where persons are transported by means of a hoist and the depth of the shaft exceeds one hundred (100) feet, temporary shaft guides and guide attachments shall be installed to prevent the cage, platform, or bucket from swinging unless the State Mining Board approves other means which will provide no less than the same degree of protection to the miners.
  - 3) Except for purpose of examination, all guides and guide attachments installed in accordance with paragraph (k)(2) of this Section, shall be maintained to a depth of not less than seventy-five (75) feet from the working area where men are present.
  - 4) Where crossheads are used, the cage, platform, or bucket shall not be hung more than ten (10) feet below the crosshead.
  - 5) Where men are required to embark or disembark over or within a shaft, a loading platform shall be installed to insure safe footing.

- 6) During the development of each slope or shaft, either a ladder or independently powered auxiliary hoist shall be provided to permit persons to escape quickly in the event of an emergency. At all times where men are on the bottom there shall be a means of access from the shaft bottom to the work deck other than the hoist. A chain ladder for this purpose will be acceptable.
  - 7) No person shall be permitted to ride the rim of any bucket or on the top of a loaded bucket.
  - 8) The maximum number of persons permitted to ride the conveyance at one time shall be posted conspicuously at the point of entrance to the shaft or slope and on the conveyance.
  - 9) Persons shall not be permitted to ride on a cage, skip, or bucket with tools or materials, except when necessary to handle equipment while in transit. Materials shall be secured to prevent shifting while being hoisted.
  - 10) The speed of buckets transporting persons shall not exceed five hundred (500) feet per minute and not more than two hundred (200) feet per minute when within one hundred (100) feet of any stop, and less if required by a representative of the Department.
  - 11) A notice of established speeds shall be posted in clear view of the hoistman.
  - 12) Conveyances being lowered in a shaft in which persons are working shall be stopped at least fifteen (15) feet above such persons and shall be lowered further only after the hoistman has received a signal that all persons who may be endangered by the conveyance are in the clear.
  - 13) No skip or bucket shall be raised or lowered in a slope or shaft until it has been trimmed to prevent material from falling back down the slope or shaft.
  - 14) Measures shall be taken to prevent material from falling back into the shaft while buckets or other conveyances are being unloaded.
  - 15) Properly attached safety belts shall be worn by all persons required to work in or over any shaft where there is a drop of ten (10) or more feet, unless other acceptable means are provided to prevent such persons from falling into the shaft.
- l) Hoist operator; qualified hoistman.
- 1) Hoists shall be under the control of and operated by a person possessing a certificate of competency as hoist operator issued in accordance with Article 7 of the Illinois Coal Mining Act of 1953 as amended when persons are being transported or are in a slope or shaft. On each shift where persons are employed below the surface, there shall be an additional person so certified present to operate the hoist in case of an emergency.

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- 2) While mines are under construction and a crane or other similar mechanical contrivance is used as a means of raising or lowering men, the operator of such is required to be certified as a hoisting engineer (crane).
  - 3) While mines are under construction, hoisting engineers shall not leave their station while persons are underground unless relieved by another hoisting engineer. Any malfunction in the hoist shall be communicated to all employees underground immediately.
- m) Explosives and blasting; use of permissible explosives.  
Only permissible explosives as defined in Article 20 of the Illinois Coal Mining Act of 1953 as amended shall be used in sinking shafts and slopes.
- n) Use of nonpermissible explosives; approved by the Department.  
When the Department has determined that the use of nonpermissible explosives will not pose a hazard to any person during the development of a slope or shaft, he may, after written application by the operator, approve the use of such explosives and issue a permit setting forth the safeguards to be employed by the operator to protect the health and safety of any person exposed to such blasting.
- o) Uses of nonpermissible shot-firing device.  
A shot-firing device approved by the Department may be used providing all persons are removed to a safe location on the surface prior to the connection of the shooting cable to the blasting device.
- p) Explosives and blasting; general.
- 1) Light and power circuits shall be disconnected or removed from the blasting area before charging and blasting.
  - 2) All explosive materials, detonators, and any other related blasting material employed in the development of any slope or shaft shall be stored, transported, carried, charged, and fired in accordance with the provisions of Articles 20 and 28 of the Illinois Coal Mining Act of 1953 as amended, and all shots shall be fired from the surface.
  - 3) All persons shall be removed from the slope or shaft prior to blasting.
  - 4) Blasting areas in slopes or shafts shall be covered with mats or other suitable material when the excavation is too shallow to retain blasted material.
  - 5) Where it is impracticable to prepare primers in the blasting area, only the number of primers needed for one (1) round of shots shall be prepared and remain on the surface in an isolated area under the control of a person qualified to perform such work, designated by the operator. The primers shall be carried into the shaft or slope in specially constructed, insulated, covered containers by such a qualified person designated by the operator.
  - 6) No other development operation shall be conducted in a shaft or at the face of a slope while drill holes are being charged and until after all shots have been fired.

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- 7) The sides of the slope or shaft between the overhead platform and the bottom where persons are working shall be examined after each blast and loose material removed.
  - 8) Loose rock and other material shall be removed from timbers and platforms after each blast before persons are lowered to the shaft bottom.
  - 9) In cases where explosives are underground and drill holes are being charged, all work shall be suspended and all persons removed from the shaft or slope upon the approach and presence of an electrical storm and persons shall not return until such danger has passed.
- q) Ventilation of slopes and shafts.
- 1) All slopes and shafts shall be ventilated by mechanical ventilation equipment during development. Such equipment shall be examined before each shift. The quantity of air in the slope or shaft shall be measured each shift by a certified slope-shaft examiner, and the results of such examinations and measurements shall be recorded in a book approved by the Department and shall be signed by the person making the examinations and measurements, and countersigned daily by a certified shaft-slope supervisor.
  - 2) Ventilation fans shall be:
    - A) Installed on the surface;
    - B) Installed in noncombustible housing;
    - C) Designed to permit the reversal of the air current, and located in an area which will prevent a recirculation of air from the slope or shaft or air contamination from any other source;
    - D) Equipped with an automatic signal device designed to give an alarm in the event the fan slows or stops which can be seen or heard by any person on duty in the vicinity of the fan, except where fans are constantly attended;
    - E) Offset not less than fifteen (15) feet from the shaft or slope; and
    - F) Equipped with air ducts which are noncombustible and maintained so as to prevent excessive leakage of air:
      - i) Flexible ducts shall be constructed to permit ventilation by either exhausting or blowing methods and when metal air ducts are used, they shall be grounded effectively to remove static and other electrical charges; and
      - ii) Ducts shall extend as close to the bottom as necessary to keep the face clear of dangerous and noxious gases. Face as used in this Section is where excavating is progressing or was last done.
  - 3) A qualified person, designated by the operator, shall be assigned to maintain each ventilating system.



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- 4) The fan shall be operated a sufficient amount of time to clear the air prior to entering the underground area of a shaft or slope by any person and shall be operated continuously when persons are below the surface. Any accidental stoppage or reduction in air flow shall be corrected immediately; development work below the surface shall be stopped, all persons not needed to make necessary corrections to the ventilation system shall be removed to the surface within fifteen (15) minutes of the time the fan stopped or there was a reduction in the air flow, and all persons shall not return to the shaft or slope until an examination has been made by a certified shaft-slope examiner and declared safe.
- r) Ladders and stairways.
- 1) Substantial stairways or ladders shall be used during the construction of all shafts where no mechanical means are provided for persons to travel.
  - 2) Landings at intervals of not more than thirty (30) feet shall be installed.
  - 3) Shaft ladders shall project three (3) feet above the collar of the shaft, and shall be placed at least three (3) inches from the side of the shaft.
- s) Electrical Equipment.
- 1) Electric equipment employed below the collar of a slope or shaft shall be permissible and shall be maintained in a permissible condition in accordance with the provisions of the Illinois Coal Mining Act of 1953, as amended and these rules.
  - 2) The insulation of all electric conductors employed below the collar of any slope or shaft shall be of the flame-resistant type.
  - 3) Only permissible lamps, portable flood-lights, and lighting equipment approved by the U.S. Bureau of Mines under Part 19, Part 20 and Part 26 of Chapter 1 (Bureau of Mines Schedules 6D, 10C, and 29A) or those listed by Underwriter's Laboratories, Inc., for use in hazardous locations, shall be employed below the collar of any slope or shaft.
- t) Storage and handling of combustible materials.
- 1) Liquified and nonliquified compressed gas cylinders, oil, gasoline, and other petroleum products shall not be stored within one hundred (100) feet of any slope or shaft opening.
  - 2) Other combustible material and supplies shall not be stored within twenty-five (25) feet of any slope, shaft opening, or fan.
  - 3) Pyritic slates, bony coal, culm, or other material capable of spontaneous combustion shall not be used for fill or as surfacing material within one hundred (100) feet of any slope or shaft opening.
  - 4) Areas surrounding the opening of each slope or shaft shall be constructed to insure the drainage of flammable liquids away from the slope or shaft in the event of spillage.

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- 5) Oily rags, wastes, waste paper, and other combustible material disposed of within or in the vicinity of any slope or shaft opening shall be stored in closed, noncombustible containers until removed from the area.
- u) Welding, cutting, and soldering; fire protection.
- 1) One (1) portable fire extinguisher shall be provided where welding, cutting, or soldering with arc or flame is performed.
  - 2) Welding, cutting, or soldering with arc or flame within or in the vicinity of any slope or shaft, except where such operations are performed in fireproof enclosures, shall be done under the supervision of a qualified person who shall make a diligent search within or in the vicinity of the slope or shaft for fire during and after such operations.
  - 3) Before welding, cutting, or soldering is performed in any slope or shaft designed to penetrate into any coal bed below the surface, an examination for methane shall be made by a person qualified to conduct such examination with a device approved by the Department for detecting methane. Examinations for methane shall be made immediately before and periodically during welding, cutting, or soldering and such work shall not be permitted to commence or continue in air which contains 1.0 volume per centum or more of methane.
  - 4) Noncombustible barriers shall be installed below welding, cutting, or soldering operations in or over a shaft.
- v) Certificate of Competency; shaft-slope workers.
- 1) Effective on and after May 1, 1978, no person shall be employed or engaged underground at a shaft, slope, or underground construction operation without having first obtained a Certificate of Competency from the Miners' Examining Board as a Shaft-Slope Worker. A person seeking a Certificate of Competency as Shaft-Slope Worker must produce evidence satisfactory to the Miners' Examining Board that he has had at least six (6) months of experience working in shaft and slope construction; and within six (6) months after becoming eligible he shall appear before the Miners' Examining Board and pass an examination as to his knowledge in the handling and use of explosives, and shall have completed a course in first aid to the injured and in mine rescue methods and in shaft ventilation; except that any such certified shaft-slope worker may have up to three (3) persons working with him and under his direction as apprentices, for the purpose of learning the business of shaft, slope, and underground construction and becoming qualified to obtain Certificates of Competency.
  - 2) *The Miners' Examining Board shall hold an examination once in each calendar month, and at such other times and at such places as the Director of the Office of Mines and Minerals may designate. The Director of the Office of Mines and Minerals shall endeavor to schedule*

*examinations at places located most conveniently with reference to the Districts in which coal is mined in the State of Illinois so that all persons in such district or in this State, or who may wish to come into this State for the purpose of engaging in mining, may be examined as to their competency and qualifications. Public notice of the examination shall be given through the press or otherwise no less than 7 days in advance of such meeting, which notice shall fix the time and place at which any examination under this Act is to be held. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 806.)*

- 3) Each applicant for the certificate provided for in this Section shall receive his certificate upon satisfactorily passing the examination, without payment of fees, except that a fee of two dollars (\$2.00) shall be paid to the Department for additional copies of certificates.
- w) Certificate of Competency; shaft-slope examiners.  
Effective on and after May 1, 1978, no person shall be employed or engaged as a Shaft-Slope Examiner without having first obtained a Certificate of Competency as a Shaft-Slope Examiner from the Mining Board. Each applicant for a Certificate of Competency as a Shaft-Slope Examiner shall produce evidence satisfactory to the Mining Board that he is of good repute, temperate habits and that he has had at least two (2) years of shaft, slope or underground construction experience. He shall pass an examination as to his experience in underground construction generating dangerous gases, his practical and technological knowledge of the nature and properties of fire damp, the laws of ventilation, the structures and use of safety lamps, and the laws of this State relating to safeguards against fires from any source in underground construction. He shall also submit to the Mining Board satisfactory evidence that he has completed a course of training in first aid to the injured. Persons who hold undergraduate degrees in Civil or Mining Engineering from an accredited school, college, or university or, who have graduated from and hold degrees in a mining engineering program approved by the Mining Board are required to have one (1) year of underground experience in shaft, slope, and underground construction to qualify for the examination for a Certificate of Competency as a Shaft-Slope Examiner.
- x) Shaft-Slope Examiners; duties and responsibilities.  
The Mining Board may designate functions to be performed by certified shaft-slope examiners in addition to those already assigned to such examiners by these rules.
- y) Certificate of Competency; shaft-slope supervisor.  
Effective on and after May 1, 1978, it shall be unlawful for the operator of any shaft, slope, or underground construction operation to have in his service any person that directs the supervisory personnel each shift who does not hold a Certificate of Competency from the Mining Board as a Shaft-Slope Supervisor. Each applicant for a Certificate of Competency as a Shaft-Slope Supervisor shall

produce evidence satisfactory to the Mining Board, that he either has had at least three (3) years practical underground experience in shaft, slope, or underground construction, or that he holds an undergraduate degree from an accredited school, college, or university in Civil or Mining Engineering or that he has graduated from and holds a degree in mining engineering program approved by the Mining Board and has eighteen (18) months experience in shaft, slope, and underground construction; that he has satisfactorily completed a course in instruction in first aid to the injured prescribed by the Department; and that he is a man of good repute and temperate habits. He shall also pass such examinations as to his experience in shaft and slope sinking, underground construction, the management of men, his knowledge of shaft and slope construction, machinery and appliances, the properties of mine gases, the principles of ventilation, the legal duties and responsibilities of Shaft-Slope Supervisor, and has acquired a Certificate of Competency as a Shaft-Slope Examiner as prescribed by the rules.

z) Shaft-Slope Supervisor; duties and responsibilities.

A Shaft-Slope Supervisor must be present in the shaft and slope work areas at all times when work is in progress. The Mining Board may designate functions to be performed by the Shaft-Slope Supervisor in addition to those already assigned to such supervisors by these rules.

aa) Applicability of Certifications of Mine Managers, Mine Examiners, and Miners to Shaft and Slope Functions. Any person who holds a Certificate of Competency from the Mining Board as Mine Manager or Mine Examiner, or who holds a Certificate of Competency from the Miners' Examining Board as a Miner may be permitted to perform the functions of a Shaft-Slope Supervisor, Shaft-Slope Examiner, or Shaft-Slope Worker respectively, if such certificate holder is approved for such shaft-slope functions by the Department. Such certificate holders may perform such functions only until such time as the next examination for certification in the particular category is given.

bb) Temporary Certificate of Competency as Shaft-Slope Examiner or Shaft-Slope Supervisor.

Upon request by the State Mine Inspector of the district, the Mining Board may issue a Temporary Certificate of Competency as Shaft-Slope Examiner or Shaft-Slope Supervisor to any person having the knowledge and time requirements set forth in subsection (w) and (y) above. This temporary certificate will be valid only until the first available examination or six months, whichever is shorter. The Mining Board may issue an extension of Temporary Certificates of Competency as a Shaft-Slope Supervisor only to those persons who take and pass the next Shaft-Slope Examiner examinations following the date of their original temporary certification.

cc) Application of the Coal Mining Act of 1953 as amended.

All the provisions of the Illinois Coal Mining Act of 1953 as amended where applicable shall apply to shaft, slope, and underground construction.

- dd) Certificate of competency-hoisting engineer (crane).
- 1) In any mine under construction where a crane or other similar mechanical contrivance is used as a means of raising or lowering persons, for operation of which equipment an electrical hoisting engineer certificate is not required under Section 7.02 of the Act, the Mining Board may grant a certificate to operate such equipment to any person recommended to the Mining Board by the State Mine Inspector of the district. The applicant for such permit shall have filed with the Mining Board satisfactory evidence that the applicant has had at least one (1) year of experience in operating a crane or device of the type to be certified and understands the handling and care of the same. Such application shall be accompanied by statements under oath from at least three (3) persons who are mine managers, examiners, or miners certified by the Board, who affirm from their personal knowledge of the applicant that the applicant is a person of good repute and personal habits, and that the applicant has, from their observation and in the judgment, a good knowledge of an experience in handling devices of the type for which certification is sought.
  - 2) Such certificate shall apply only to the mine and device(s) for which it is issued, and shall be valid for a period not to exceed one (1) year, except such certificate may be renewed by the Mining Board from year to year if the person holding same requests renewal, and certifies by sworn statement, affirmed by the State Mine Inspector of the District, that the circumstances and conditions relating to the holder's competency are the same as when the certificate was originally issued, and that the person holding same has operated the equipment for which he or she was certified satisfactorily during the prior term of the certificate.
  - 3) Requests for renewal of certificates shall be submitted to the Board at least thirty (30) days in advance of expiration.
  - 4) It shall be a violation of this Section for any person to operate hoisting equipment described in paragraph (cc)(1) hereof, to raise or lower men in mines under construction without current, valid certificate of the Board. This Section does not apply to operations expressly exempt from certification under Section 7.03 or subject to Section 7.04 of the Act.
  - 5) A certificate issued hereunder is subject to revocation at any time if the holder fails to exercise due care or attention to duty or otherwise does not have the qualifications to hold the certificate. A certificate is subject to temporary suspension by a mine inspector if, in the judgement of mine inspector, such suspension is required or advisable to assure the health and safety of any person. In the event of such suspension, the holder is entitled to a prompt hearing by the Board. The Board may revoke a certificate after notice and hearing as provided by Board rules.