IME Safety Library Publication No. 22, "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," (May 1993) and the "Generic Loading Guide for the IME-22 Container," (October 1993). With these revisions, using a "laminated partition" to separate certain detonators from explosives or blasting agents would continue to be permitted, provided the limitations set by IME for use of a "laminated partition" are followed. These IME publications would be available at MSHA headquarters in Arlington, VA and at all Metal and

Nonmetal Mine Safety and Health District Offices. In the future, MSHA will consider modifying these incorporations to reflect substantive updates of the publications.

Storage

Sections 56/57.6133 Powder chests. Existing §§ 56/57.6133, concerning powder chests, provide for the storage of detonators with other explosive materials. Specifically, existing paragraph (b) requires that detonators be kept in separate chests from explosives or blasting agents, except that detonators and explosives may be kept in the same compartment or container if separated by 4 inches of hardwood, laminated partition, or equivalent.

Since the early 1970's, MSHA has required 4 inches of hardwood or equivalent to separate detonators from explosives or blasting agents when stored together. The purpose of the 4 inches of hardwood is to provide sufficient separation of explosive materials from detonators to protect against propagation should detonators be initiated by outside forces.

The proposal will also continue to allow the use of other construction materials that are equivalent to 4 inches of hardwood. This equivalent material must provide at least the same protection as the 4 inches of hardwood as demonstrated by testing.

As discussed above under the definition of "laminated partition," the proposal would permit a compartment or container meeting the definition of a "laminated partition" to be used to separate certain detonators from explosives or blasting agents. When a "laminated partition" is used, the proposal would require the provisions of IME Safety Library Publication No. 22, "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," (May 1993), and the "Generic Loading Guide for the IME-22 Container," (October 1993) to be followed. These IME publications

would be incorporated by reference and are available at MSHA headquarters in Arlington, VA and at all Metal and Nonmetal Mine Safety and Health District Offices. In the future, MSHA will consider modifying these incorporations to reflect substantive updates of the publications.

Transportation

Sections 56/57.6201 Separation of transported explosive material. Existing §§ 56/57.6201 contain requirements for transporting detonators with other explosive material. Specifically, paragraphs (a)(2) and (b)(2) provide for detonators to be separated from explosives or blasting agents by 4 inches of hardwood, laminated partition or equivalent.

As discussed above, since the early 1970's, MSHA has required 4 inches of hardwood or equivalent to separate detonators from explosives or blasting agents when transported together in the same vehicle. The purpose of the 4 inches of hardwood is to provide sufficient separation of explosive materials from detonators to protect against propagation should detonators be initiated by outside forces, such as impact.

Likewise, the proposal will continue to allow the use of other construction materials that are equivalent to 4 inches of hardwood. This equivalent material must provide at least the same protection as the 4 inches of hardwood as demonstrated by testing.

As discussed above under the definition of "laminated partition," the proposal would permit a compartment or container meeting the definition of a "laminated partition" to be used to separate certain detonators from explosives or blasting agents. When a "laminated partition" is used, the proposal would require the provisions of IME Safety Library Publication No. 22 "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," (May 1993) and the "Generic Loading Guide for the IME-22 Container," (October 1993) to be followed. These IME publications would be incorporated by reference and are available at MSHA headquarters in Arlington, VA and at all Metal and Nonmetal Mine Safety and Health District Offices.

Sections 56/57.6202 Vehicles. The 1993 preamble discussion to §§ 56/ 57.6202(a)(1) led to some misunderstanding in the mining community that vehicles used on mine property must be able to pass Federal, State, and local licensing requirements for over-the-road use to be in compliance with MSHA regulatory provisions. This was not a requirement included in the regulation, nor the Agency's intent.

On Šeptember 30, 1994, MSHA issued Program Policy Letter No. P94–IV–3, clarifying the meaning of the term "good condition." MSHA's use of the term 'good condition'' is intended to mean that the mine vehicle must be in a condition consistent with safe operating practices. A vehicle that is road worthy can generally be expected to be in good condition. MSHA does not intend for the term "good condition" to mean that mine vehicles must pass Federal, State and local licensing requirements for over-the-road use. Vehicles carrying explosive materials must comply with the requirements of subpart M of §§ 56/ 57.14000 et seq. Subpart M-Machinery and Equipment, addresses the maintenance requirements for all selfpropelled mobile equipment used on mine property.

Use

Sections 56/57.6302 Separation of explosive material and Sections 56/ 57.6905 Separation of explosive material and hang-up blasting. Paragraph (a) of existing §§ 56/57.6302 requires that explosives and blasting agents be kept separate from detonators until loading begins. This provision remains unchanged. The section heading of §§ 56/57.6302 would be revised to read "Separation of explosive material."

Existing paragraph (b) requires that explosive material be protected from impact and temperatures in excess of 150 °F when taken to the blast site. As discussed below, experience in the application of this standard has led MSHA to propose that these two paragraphs be separated and clarified.

In 1993, MSHA promulgated §§ 56/ 57.6302 under the "Use" portion of the explosives regulations, thereby creating confusion as to whether explosives must be protected from impact during transportation and storage as well. MSHA's intent was to require protection of explosive material from impact and high temperatures generally, not just during use. The proposal would move existing paragraph (b) of §§ 56/57.6302 to "General Requirements" and "General Requirements—Surface and Underground". For surface mines, the provision would be codified as § 56.6905, with the section heading "Explosive material protection." For underground mines, the provision would be codified as § 57.6905, with the section heading "Separation of explosive material and hang-up blasting.'