permission to place the SCSR more than 25 feet away.

(1) The District Manager shall consider the following factors in deciding whether to permit an operator to place a SCSR more than 25 feet from a miner:

* * * * *

- (v) Proposed location of SCSRs,
- (2) Such application shall not be approved by the District Manager unless it provides that, while underground, all miners whose SCSR is more than 25 feet away shall have a FSR approved by MSHA and NIOSH under 42 CFR part 84 sufficient to enable each miner to get to a SCSR.
- (3) An operator may not obtain permission under paragraph (e) of this section to place SCSRs more than 25 feet away from miners on trips into and out of the mine.

(f) If a SCSR is not carried out of the mine at the end of a miner's shift, the place of storage must be approved by the District Manager, a sign with the word "SELF-RESCUER" or "SELF-RESCUERS" shall be conspicuously posted at each storage place, and direction signs shall be posted leading to each storage place.

to each storage place.
(g) Where devices of not less than 10 minutes and 1 hour are made available in accordance with § 75.1714–1(b), such devices shall be used and located as follows:

* * * * *

27. Section 75.1714–3 is amended by revising paragraphs (c) and (d) to read as follows:

§ 75.1714–3 Self-rescue devices; inspection, testing, maintenance, repair, and recordkeeping.

* * * * *

(c) All FSRs approved by MSHA and NIOSH under 42 CFR part 84, except

devices using vacuum containers as the only method of sealing, shall be tested at intervals not exceeding 90 days by weighing each device on a scale or balance accurate to within +1 gram. A device that weighs more than 10 grams over its original weight shall be removed from service.

(d) All SCSRs approved by MSHA and NIOSH under 42 CFR part 84 shall be tested in accordance with instructions approved by MSHA and NIOSH. Any device which does not meet the specified test requirements shall be removed from service.

Dated: May 24, 1995.

Dated: May 24, 1995.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

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