

### 13 NCAC 06 .0303 HEALTH SURVEYS

(a) Agreement. The commissioner has reached an agreement with the Director, Division of Health Services of the North Carolina Department of Human Resources, under which the division of health services shall perform health surveys and investigations of mines in the state.

(b) Frequency of Inspections. The division of health services shall make inspections as follows:

- (1) gassy and nongassy underground mines at least once each calendar year,
- (2) quarries and open pit mines at least once each two calendar years,
- (3) sand and gravel operations at least once each five calendar years.

The division of health services shall also make intermittent and spot-check inspections in order to determine continuous compliance with health standards.

(c) Conduct of Inspection. Advance notice of the inspection will not be given, except as provided for in Rule .0302(a) of this Section. During the inspection, the inspector of the division of health services shall investigate into the following areas, where applicable:

- (1) dust exposure;
- (2) exposure to fumes, gases, vapors, and particulate matters;
- (3) noise exposure; and
- (4) radiation exposure.

(d) Report of Findings. As soon as possible after the completion of the inspection or investigation of a mine, the inspector of the division of health services shall furnish the Director of the Mine and Quarry Division with two copies of the inspection report. The report shall include: the name and address of the operator, the location of the mine, a description of the findings of the inspection, a description of the health hazards found, the date of the inspection, and the name of the inspector.

(e) Notices, Orders. If, after reviewing the report of the inspector of the division of health services, the Director of the Mine and Quarry Division determines that a violation of a mine health standard has occurred, the director will issue the official notice or the official order to withdraw, as described in Rule .0302(d) of this Section. The director will mail copies of all notices and orders to other interested mine officials, including the person in charge of safety and health, as soon as practicable.

(f) Follow-up Inspection. The director may request an inspector of the Division of Health Services to make a follow-up inspection of a mine to insure that the operator has complied with the rules and regulations of this Chapter. After the follow-up inspection, the inspector of the division of health services shall furnish the Director of the Mine and Quarry Division with two copies of the inspection report, as described in Subsection (d) of this Rule.

(g) Quarterly Report. The division of health services shall report at least quarterly to the Director of the Mine and Quarry Division all known incidents of acute occupational illnesses resulting from skin contact with industrial agents; inhalation of dust, fumes, mists, toxic gases or radioactive particles; or ingestion of toxic agents from material on hands or food.

(h) Annual Report. The division of health services shall furnish the Director of the Mine and Quarry Division with an annual report of disabling chronic occupational illnesses occurring to miners.

*History Note:* Authority G.S. 74-24.16(c); 74-24.8; 74-24.9; 95-4(2);  
Eff. February 1, 1976;  
Readopted Eff. September 30, 1977;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2018.