**Section 220.200 Surface Bathing Facilities, Change Rooms and Sanitary Flush Toilet Facilities at Surface Coal Mines**

a) Bathing facilities; change rooms; sanitary flush toilet facilities.

Each operator of a coal mine shall provide bathing facilities, clothing change rooms, and sanitary flush toilet facilities, as hereinafter prescribed, for the use of miners employed in the surface installations and at the surface worksites of such mine.

b) Location of facilities.

1) Bathhouses, change rooms, and sanitary flush toilet facilities shall be in a location convenient for the use of the miners.

2) All bathhouses shall be constructed to provide at least ten (10) square feet of unobstructed floor space for each employee using the facility at any given time. In the computation of the area to be dedicated to employee floor space, the space taken up by obstructions such as lockers, and clothes baskets, and by common areas such as exit passageways and walkways shall not be included. In that same computation, the space taken up by benches or seats provided for the use of miners may be included. This Section shall apply to all bathhouses constructed or expanded after the effective date of this Section. This Section shall not apply to a bathhouse constructed or expanded after the effective date of this Section, if, and only if, valid contracts for such construction or expansion have been entered prior to the effective date. Evidence of such contracts shall be submitted to the Department prior to the beginning of such construction or expansion and no construction or expansion which fails to meet the requirements of this Section shall commence without the express approval of the Department.

3) Where females are employed, separate facilities shall be provided. These facilities shall meet the requirements of this Section.

c) Minimum requirements for bathing facilities, change rooms, and sanitary flush toilet facilities.

1) All bathing facilities, change rooms, and sanitary flush toilet facilities shall be provided with adequate light, heat, and ventilation so as to maintain a comfortable air temperature and to minimize the accumulation of moisture and odors, and the facilities shall be maintained in a clean and sanitary condition for each oncoming shift.

2) Bathing facilities, change rooms, and sanitary flush toilets facilities shall be constructed and equipped so as to comply with all applicable state and local building codes. However, where no state or local building and plumbing codes apply to these facilities, or where no state or local building and plumbing codes exist, the facilities shall be constructed and equipped so as to meet the minimum construction requirements of the most recent National Building Code and the plumbing requirements of the most recent National Plumbing Code which documents are hereby incorporated by reference and made a part hereof.

3) In addition to the minimum requirements specified in paragraphs (c)(1) and (c)(2) of this Section, facilities maintained in accordance with Section 220.200(a) shall include the following:

A) Bathing facilities:

i) Showers shall be provided with both hot and cold water. The Department shall take monthly samples to insure an adequate supply of safe, clean, hot and cold water satisfactory for shower and bathing purposes, except where a municipal water supply is used, and the record of the results of such sampling shall be retained by the Department;

ii) At least one (1) showerhead shall be provided where five (5) or less miners use such showers;

iii) Where five (5) or more miners use such showers at any particular time, sufficient showers shall be furnished to provide approximately one (1) showerhead for each such five (5) miners; and

iv) A suitable nonirritating cleaning agent shall be provided for use at each shower.

B) Sanitary flush toilet facilities:

i) At least one (1) sanitary flush toilet shall be provided where ten (10) or less miners use such toilet facilities;

ii) Where ten (10) or more miners use such toilet facilities at any particular time sufficient flush toilets shall be furnished to provide approximately one (1) sanitary flush toilet for each such ten (10) miners;

iii) Where thirty (30) or more miners use toilet facilities one (1) urinal may be substituted for one (1) flush toilet; however, where such substitutions are made they shall not reduce the number of toilets below a ration of two (2) flush toilets to one (1) urinal;

iv) An adequate supply of toilet paper shall be provided with each toilet;

v) Hand lavatories shall be provided in or adjacent to each toilet facility; and

vi) Toilets shall be separated by partitions.

C) Change rooms:

i) Individual clothes storage containers or lockers shall be provided for storage of miners' clothing and other incidental personal belongings during and between shifts;

ii) Change rooms shall be provided with ample space to permit the use of such facilities by all miners changing clothes prior to and after each shift; and

iii) Two (2) separate means of exit shall be provided from each bathhouse.