Part I. General and Specific Requirements


The following words and items when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Commencing work" means after employment but before beginning job duties.

"Department" means the Department of Mines, Minerals and Energy.

"Division" means the Division of Mineral Mining of the Department of Mines, Minerals and Energy.

"MSHA" means the federal Mine Safety and Health Administration.

Statutory Authority

Historical Notes

4VAC25-35-10. Initial certification requirements.

A. Applicants shall submit:

1. An application for certification examination in a form acceptable to the division.

2. Verification of all degrees required for certification and a valid first aid certificate as noted in Part II, Minimum Certification Requirements (4VAC25-35-50 et seq.). When not otherwise specified, first aid certifications shall be issued by an organization that uses nationally recognized standards and is approved by the division, e.g., American Red Cross and National Safety Council.

3. A $10 fee for each examination application received at least five working days prior to an examination. Cash will be accepted if paying in person at a department office.

4. Verification of work experience in a form acceptable to the division and documentation of equivalent work experience for approval by the division, if required for the certification. Work experience shall be verified by a company official who is knowledgeable of the experience of the applicant.

B. Applicants shall fulfill the requirements of this section and accumulate the required years of experience within five years of taking the examination or start the process over including payment of fee.
C. Applicants for the general mineral miner certification shall submit a $10 processing fee with their application.

Statutory Authority


Historical Notes


4VAC25-35-20. Examination requirements.

A. All applicants for certification shall take an examination except candidates for the general mineral miner certification and electrical certification applicants who hold a valid journeyman or master electrical license issued by the Department of Professional and Occupational Regulation. Applicants for the foreman certification shall score at least 85% and applicants for other certifications shall score at least 80% on each section of the examination. Examinations will be given in a manner specified by the division, including, but not limited to, online or written examinations.

B. If all or part of an examination is failed, the applicant must pay the examination fee and retake the failed section or sections within 90 days to continue the certification process. If a section of the examination is failed a second time, the applicant must pay the fee and retake the entire examination. If the examination is failed on the third try, the applicant must pay the fee and wait the longer of 90 days from the re-examination date or one year from the initial examination date before retaking the entire exam. After the third attempt, the application cycle starts over.

Statutory Authority


Historical Notes


4VAC25-35-30. Reciprocity requirements.

Reciprocity shall be available for certified persons in other states as provided for in § 45.1-161.292:24 of the Code of Virginia. Applicants for reciprocity must submit proof of current certification, examination grades, and documentation of equivalent work experience for review and approval by the department.

Statutory Authority


Historical Notes
4VAC25-35-40. Renewal requirements.

A. The division will send renewal notices to the last known address of the certificate holder at least 180 days prior to the expiration of the certificate. Certified persons shall apply for renewal of certificates by submitting an application for renewal and verification of work experience in a form acceptable to the division no more than 180 days prior to the expiration of their certificate. The application shall be submitted in time to be received at least five working days prior to the date of the examination or refresher class.

B. Certified persons, except mine inspectors, who have worked in the classification for which they are certified for a cumulative minimum of 24 months in the last five years shall select one of two options to renew their certificates; either take an examination or complete a refresher class on any changes in regulations and law since the initial certification or the certificate was last renewed.

C. Certified persons shall take the examination described in 4VAC25-35-20 if their certificate has expired, they have not worked in the classification for which they are certified for a cumulative minimum of 24 months in the last five years, or the division has issued the individual violations that have not been corrected.

D. Successful completion of the mine inspector renewal shall suffice for renewing the mine foreman certification.

E. Applicants for renewal of certifications shall hold a valid first aid certificate to renew their certification.

F. Applicants shall submit a $10 fee for the examination or the refresher class which shall be received at least five working days prior to the examination or class. Cash will be accepted if paying in person at a department office.

Statutory Authority


Historical Notes


Part II. Minimum Certification Requirements


A. Applicants for certification as an underground foreman shall possess five years mining experience at an underground mineral mine or equivalent work experience approved by the division.
B. Applicants may be given three years credit for a surface foreman certificate or bachelor’s degree in mining engineering, mining technology, civil engineering or geology, or two years credit for an associate’s degree in mining technology or civil technology.

C. Applicants shall possess a valid first aid certificate verifying completion of an approved first aid course.

Statutory Authority


Historical Notes


4VAC25-35-60. Surface foreman (this certification is for a person whose job duties include overseeing blasting activities).

A. Applicants for certification as a surface foreman shall possess five years mining experience, at least one year at a surface mineral mine, or equivalent work experience approved by the division.

B. Applicants may be given three years credit for a bachelor’s degree in mining engineering, mining technology, civil engineering, civil technology or geology, or two years credit for an associate’s degree in mining technology or civil technology.

C. Applicants shall possess a valid first aid certificate verifying completion of an approved first aid course.

Statutory Authority


Historical Notes


4VAC25-35-70. Surface foreman, open pit (this certification is for a person whose job duties do not include overseeing blasting activities).

A. Surface foreman, open pit applicants shall possess five years mining experience with at least one year at a surface mineral mine, or equivalent work experience approved by the division.

B. Applicants may be given three years credit for a bachelor’s degree in mining engineering, mining technology, civil engineering, civil technology or geology, or two years credit for an associate’s degree in mining technology or civil technology.

C. Applicants shall possess a valid first aid certificate verifying completion of an approved first aid course.

Statutory Authority


Historical Notes


4VAC25-35-75. Cement plant examiner.

A. Competent persons who are certified as a general mineral miner and who possess at least one year experience working at a cement plant may assist the surface foreman in performing examinations of active work areas of cement plants at the beginning of each shift.

B. The surface foreman shall oversee any examinations of the plant that are performed by a cement plant examiner.

C. Cement plant examiners shall be trained in the safety and health aspects of the plant area they may examine and be trained in the procedures for work place examination and recordkeeping. The operator shall maintain records of the training as required in 4VAC25-40-100.

Statutory Authority


Historical Notes


4VAC25-35-80. Surface blaster.

A. Surface blaster applicants shall possess one year of blasting experience on a surface mineral mine under the supervision of a certified blaster or possess equivalent work experience approved by the division.

B. Applicants shall possess a valid first aid certificate verifying completion of a first aid course approved by the division.

Statutory Authority


Historical Notes


A. Underground mining blaster applicants shall possess two years of work experience in an underground mine with at least one year handling and using explosives underground or possess equivalent work experience approved by the division.
B. Applicants shall possess a valid first aid certificate verifying completion of a first aid course approved by the division.

Statutory Authority


Historical Notes


4VAC25-35-100. Mineral mining electrician (electrical repairman).

A. Applicants for certification as a mineral mining electrician shall possess work experience as demonstrated by a valid journeyman or master electrical license issued by the Department of Professional and Occupational Regulation, Tradesmen Section or as approved by the division as equivalent to that required for a journeyman license.

B. Applicants shall submit documentation of training or obtain training as required by 30 CFR Part 46 or 30 CFR Part 48 or provide evidence of their knowledge of safe working practices on the mine site as approved by the division.

Statutory Authority


Historical Notes


In addition to the requirements set forth in § 45.1-161.292:11 of the Code of Virginia, mine inspector applicants shall demonstrate knowledge and competence in those areas specified in § 45.1-161.292:12 of the Code of Virginia through the examination process. A certificate will not be issued until an applicant is employed by the department. Applicants who already possess a valid coal mine inspector certification pursuant to 4VAC25-20-180 or 4VAC25-20-185 shall be deemed to have met the requirements of this section.

Statutory Authority

§§ 45.1-161.28 and 45.1-161-34 of the Code of Virginia.

Historical Notes


A. As set forth in § 45.1-161.292:28 of the Code of Virginia, miners commencing work after January 1, 1997, shall have a general mineral miner certification. Persons excluded from the general mineral miner certification are those involved in delivery, office work, maintenance, service and construction work, other than the extraction and processing of minerals, who are contracted by the mine operator. Hazard training as required by 30 CFR Part 46 or 30 CFR Part 48 shall be provided to these persons.

B. Applicants shall complete certification training in first aid and mineral mining regulations and law, which is conducted by a training instructor approved by the division, a certified MSHA instructor, or a certified mine foreman. Training shall include the following topics, subtopics and practical applications:

1. First aid training shall convey knowledge of first aid practices including identification of trauma symptoms, recognition and treatment of external and internal bleeding, shock, fractures, and exposure to extreme heat or cold. Training shall include a demonstration of skills or passing an examination, as evidenced by the instructor certification submitted in a form acceptable to the division.

2. Law and regulation training shall convey highlights of the mineral mine safety laws of Virginia and the safety and health regulations of Virginia. Specifically, information shall be provided on miner responsibilities and accountability, certification requirements, violations, penalties, appeals and reporting violations to the division. Training shall include a demonstration of skills or passing an examination, as evidenced by the instructor certification submitted in a form acceptable to the division.

C. The trainer will certify to the department that the training and demonstrations required by § 45.1-161.292:28 B of the Code of Virginia and this section have occurred.

D. Applicants who hold a valid first aid certificate as noted in 4VAC25-35-10 shall be considered to have met the first aid requirements.

E. Applicants who have completed training may commence work and shall be considered provisionally certified for up to 60 days from the date the instructor completes the training.

F. The instructor shall submit verification of certification in a form acceptable to the division and the $10 fee for each applicant who completes the training, together with a class roster of all persons who complete the training, within 30 days of the training date.

G. The mine operator shall maintain the following records for those miners required to obtain a general mineral miner certification and those who qualify for exemption, starting January 1, 1997:

1. The employee name, address, and phone number.

2. The job title, employment date and general mineral miner number if applicable.

3. The date training was completed and the instructor providing it for nonexempt employees.

4. If the employee is exempt from the requirements, the date they began working in the mineral mining industry in Virginia.
H. Applicants who already possess a valid general coal miner surface certification pursuant to 4VAC25-20 shall be deemed to have met the requirements of this section.

Statutory Authority


Historical Notes


FORMS (4VAC25-35).

Application for Certification Examination, DMM-BMME-1 (rev. 3/2017)

Application for Renewal, DMM-BMME-3 (rev. 3/2017)

Verification of Work Experience Form, DMM-BMME-2 (rev. 3/2017)

Statutory Authority

Historical Notes