

Coal Mines, Amount of Explosives Which May Be Stored in.  
Explosives, Amount of Which May Be Stored in a Mine.

Section 8546 fixes the quantity of explosives which may be stored in a mine at three thousand pounds.

February 1st, 1913.

Hon. J. B. McDermott,  
State Coal Mine Inspector,  
Helena, Montana.

Dear Sir:

I beg to acknowledge receipt of your favor of the 28th ult., to the following effect:

"Would a foreman, superintendent, manager or owner, or their agents, be permitted, under our mining laws, to take black blasting powder or other explosives into the coal mines and store in receptacle or magazine for convenience of themselves and employes working therein, and what, if any, limit is placed upon the amount of explosives that may be so stored, temporarily, for daily use in the coal mines, by the above mentioned officials?"

In reply thereto I beg to advise that Sec. 8546 of the Revised Codes expressly covers the question of how great a quantity of explosives may be stored in a mine, and fixes the quantity at three thousand pounds.

Sec. 8546, Revised Codes.

This section, in my opinion, still remains the law upon this point. It has not been repealed or modified, in my estimation, by Sec. 79 of Chap. 119, Laws of 1911. The latter section has application only to the quantity of powder which a workman may take with him to his work, and cannot, in my opinion, be construed as an amendment to the prior section, 8546, which expressly refers to the quantity of powder which may be stored in a mine. You are, therefore, advised that no more than three thousand pounds of powder may be stored in a mine for daily use.

Very truly yours,

D. M. KELLY,  
Attorney General.