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# Mine Operator Requirements under 30 CFR 56/57.5002

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# Topics

- 30 CFR 56/57.5002
- Program Policy Letter
- Procedure Instruction Letter
- Surveys
- Frequency of Surveys
- Evidence of Surveys
- Assistance
- Questions/Discussion



# 30 CFR 56/57.5002, Exposure Monitoring

- “Dust, gas, mist and fume surveys shall be conducted as frequently as necessary to determine the adequacy of control measures”

# Questions to answer

- Who conducts surveys?
- What constitutes a survey?
- How frequent is frequent enough?
- How to verify surveys are being conducted?

# Program Policy Letter (PPL)

- Issued 10/22/2010 and available at <http://www.msha.gov/REGS/COMPLIAN/PPLMEN.HTM>
- Mine operators have the primary responsibility for protecting the health of miners
  - Conducted by mine operator
  - Conducted by third party
- Mine operators must demonstrate compliance rather than relying on enforcement interventions
- Emphasize:
  - Plan
  - Prevent
  - Protect



# Policy

- During MSHA inspections, MSHA inspectors will be evaluating operator activities to verify evidence of surveys and whether those surveys are being conducted frequent enough to ensure adequacy of controls.



# Procedure Instruction Letter (PIL)

- Issued 12/16/2010 and available at <http://www.msha.gov/regs/complian/PILS/2010/PIL10-IV-01.asp>
- Provides general instructions for assessing compliance with the requirements of 56/57.5002



# What constitutes a survey?

- The term survey denotes any information collection method that
  - Yields information as to miner exposures
  - Yields information as to the effectiveness of controls
- Trained and knowledgeable persons should conduct surveys



# Surveys

- Exposure monitoring
- Workplace inspections
- Inspection of equipment
- Injury, illness, incident tracking and/or reports
- Worker input
- Occupational health assessments
- Other methods

# How frequent is frequent enough?

- 30 CFR 56/57.5002 does not require specific frequency of surveys
- Mine operator determines frequency based on several parameters

# Parameters that impact frequency

- Sampling results and established TLVs (under 30 CFR 56/57.5001)
- Changes in the job
- Changes in the hazard
- Results of inspections and/or routine/special maintenance
- Worker identified issues
- Injury and/or illness reports and/or incidents

# Evidence of Surveys

- 30 CFR 56/57.5002 does not specify any record keeping requirements
- Examples of evidence
  - Exposure monitoring records
  - Maintenance records
  - Interviews
  - Visual inspection
  - Other evidence presented by the operator

# Assistance

- MSHA continues to work with stakeholders
- MSHA working with other organizations
  - Training and guidance with focus on small mines
- MSHA Websites
  - <http://www.msha.gov/SiteIndex/MNMSiteIndex.asp>



## Health Information

- **Operator Survey Requirements Under 30 CFR 56/57.5002**
  - MSHA Increased Emphasis on Improved Implementation of Surveys at MNM Mines Presentation
    - [Powerpoint Version](#) [PDF Version](#)
  - [Procedure Instruction Letter I10-IV-01](#)
  - [Metal/Nonmetal Operators Exposure Monitoring Requirements Guidance](#)
  - [News Release](#)
- **Noise Exposure**
  - [A Re-Look at Noise Exposure](#)
  - [Health Standards for Occupational Noise Exposure Resources Page](#)
- [Asbestos Single Source Page](#)
- [Health Standards](#)
- [Diesel Particulate](#)
- [Toolbox to Reduce Diesel Exposure](#)
- [IG 103](#) - A Practical Guide to an Occupational Health Program for Respirable Crystalline Silica
- [2010 Metal/Nonmetal Health Sampling Program](#)
- [NIOSH IC 9521](#) - Best Practices for Dust Control in Metal/Nonmetal Mining
- [MNM Health Inspection Procedures Manual](#)

## Accident Prevention Tips by Mine Type



## Metal/Nonmetal Operators Exposure Monitoring Requirements Guidance



Consistent with the Secretary's vision of "Good Jobs for Everyone" and her goal for safe and healthful workplaces, MSHA is placing increased emphasis on identifying and controlling health hazards in the mining workplace. In accordance with 30 CFR 56.5002 and 57.5002, MSHA encourages all metal and nonmetal operators to conduct dust, gas, mist and fume surveys as frequently as necessary to determine if their controls are adequately protecting miners. In Agency inspections, MSHA will be evaluating operator activities to verify evidence of surveys. MSHA has placed resources on this website, including "best practices" for dust in Metal and Nonmetal Mines.

MSHA, in its inspection activities, will place an increased emphasis on mine operators' surveying of health hazards. This is a shift from reacting to MSHA's enforcement of overexposures to MSHA enforcement of the mine operators' requirement to conduct health hazard surveys and make appropriate changes to ensure miners are not overexposed to

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Questions  
Comments  
Open Discussion

