

EFFECTIVE DATE: April 16, 2015

PROGRAM POLICY LETTER NO. P15-V-01

FROM: KEVIN G. STRICKLIN  
Administrator for  
Coal Mine Safety and Health

SUBJECT: Proximity Detection System Compliance Dates

### **Scope**

This Program Policy Letter (PPL) is intended for underground coal mine operators, independent contractors, miners' representatives, Mine Safety and Health Administration (MSHA) personnel, and other interested parties.

### **Purpose**

This policy letter sets forth MSHA's interpretation of the classification of machines with respect to compliance dates in its final rule on Proximity Detection Systems for Continuous Mining Machines in Underground Coal Mines.

### **Policy**

Under MSHA's final rule titled *Proximity Detection Systems for Continuous Mining Machines in Underground Coal Mines*, continuous mining machines manufactured and equipped with a Proximity Detection System (PDS) on or before March 16, 2015, must meet the requirements of the rule no later than September 16, 2016. Continuous mining machines manufactured and not equipped with a PDS on or before March 16, 2015 must meet the requirements of the rule no later than March 16, 2018. The rule's preamble explained that machines that needed to be equipped with a PDS would require more time to bring them into compliance because of the need to obtain approvals and because the machines would need to be taken out of use for a period of time. MSHA anticipated that operators would equip these machines with PDS during the first planned rebuild that occurs prior to March 16, 2018. The preamble explained that continuous mining machines that already have a PDS would require only minor modifications that could be done underground during a maintenance shift. The preamble explained that, because these machines would not need complete installation of a PDS but would require only minor modifications to their existing PDS, a shorter time period for compliance would be appropriate.

MSHA interprets the March 16, 2018 date to apply to continuous mining machines with an existing PDS that requires the installation of a new PDS to meet the requirements of the rule. For these machines, MSHA anticipates that the new PDS will be installed during the first planned rebuild.

### **Background**

Operators have asked MSHA to clarify the applicability of the rule's compliance dates and have stated that some existing installed PDS cannot be modified and will require the installation of a new PDS.

### **Authority**

The Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 et seq.; 30 C.F.R. § 75.1732. This guidance represents MSHA's current interpretation of 30 C.F.R. § 75.1732. It does not create or confer any rights for or on any person or operate to bind the public.

### **Filing Instructions**

This program policy letter should be filed behind the tab marked "Program Policy Letters" at the back of Volume V of the Program Policy Manual.

### **Internet Availability**

This program policy letter may be viewed by accessing MSHA's home page (<http://www.msha.gov>) and selecting "Program Policy Letters" under "Compliance Information."

### **Issuing Offices and Contact Persons**

Coal Mine Safety and Health  
Rodney L. Adamson, Coal Mine Safety and Health Specialist  
E-mail: [adamson.rodney@dol.gov](mailto:adamson.rodney@dol.gov)  
(202) 693-9549

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