MSHA’s
Final Respirable Dust Rules
Major Sections Modified

- Part 70 (Underground coal mines)
- Part 71 (Surface coal mines/facilities)
- Part 90 (Miners with lung disease)
- Part 72 (Compliance determinations, Medical monitoring, Respiratory Protection)
- Part 75 (Ventilation, Ventilation plan, Dust control examinations)
Part 70 New Terms

- Normal Production Shift
- Representative Samples
- Excessive Concentration Value (ECV)
Part 70 - Standards

2.0 mg/m$^3$ on effective date
1.5 mg/m$^3$ 24 months after effective date

Intake air
- 1.0 mg/m$^3$ on effective date
- 0.5 mg/m$^3$ 24 months after effective date
Quartz

- Quartz standard 0.100 mg/m$^3$ (100 µg/m$^3$)
- Reduced standard established based on
  - Exceeding 100 µg/m$^3$
  - Formula: 10 divided by percent quartz
Part 70 Sampling
General

- CMDPSU for Designated Occupations (DO) and Designated Area (DA) sampling at effective date
- CPDM 18 months after effective date for
  - DO sampling
  - Other Designated Occupations (ODO) sampling (former DAs on the MMU)
- CMDPSU used for (DA) sampling unless operator notifies District Manager of use of CPDM (18 months after effective date) at least 90 days prior to intended use
Miners required to wear CPDM trained on unit prior to wearing and every 12 months

All sampling will be full-shift, portal-to-portal

- Change out of CMDPSU pump to complete full shift
- Change out of CPDM unit to complete full shift
Part 70 Sampling
General (Cont.)

Control filters required when sampling with CMDPSU

- Control filter must have same pre-weight date
- Carried to same area of mine as sample
- Remain plugged entire shift
- Transmitted with sample to MSHA
- Dust data card completed
- Certified person to handle
Operator record length of each shift – maintain record for 6 months

Operator record production for each MMU for each shift – maintain record 6 months

– Operator will use to determine average over the last 30 production shifts
Part 70 Sampling Certification

- Persons certified by MSHA to conduct sampling
- Persons certified by MSHA to maintain and calibrate sampling units
Part 70 Sampling Certification

- Re-certified every 3 years
- MSHA may revoke certification
- Certified in sampling may collect samples
- Certified in Maintenance can work on sampling units
  - Maintenance certification not cover sampling duties
Part 70 Sampling
Pre-Shift Checks

- Pre-shift CMDPSU within 3 hours of sample shift
  - Examination of components
  - Examination of cyclone interior
  - Examination of external tubing
  - Examination of clamping/positioning
  - Testing of voltage under load
Part 70 Sampling
Pre-Shift Checks

- Pre-shift of CPDM within 3 hours of sample shift
  - Follow procedures required by manufacturer
  - Pre-operational examination
  - Testing
  - Set-up
Part 70
Flowrate

- Operate at
  - 2.0 lit/min for CMDPSU
  - 2.2 lit/min for CPDM
  - Other flowrate recommended by manufacturer or Sec. of Labor

CMDPSU checked during 2\textsuperscript{nd} and last hour of operation

CPDM – examine unit at mid-shift or more often if specified in ventilation plan
Part 70
Bimonthly Sampling – MMU
(First 18 Months)

- 5 samples each bimonthly period on DO
  - Consecutive normal production shifts
  - Normal production shifts worked on consecutive days

- Samples exceeding standard by 0.1 will be used in compliance/noncompliance decision regardless of production

- New reduced standard due to quartz
  - Standard effective 7 days after date of notification
Part 70
Bimonthly Sampling – MMU
Compliance

- 1 sample ≥ ECV in Table 70-1
  - Make respirators available
  - Immediately take corrective action to lower to or below applicable standard
  - Make record of corrective action
    - Certify by mine foreman or equivalent
    - In secure book
    - Maintained at mine for at least 1 year
<table>
<thead>
<tr>
<th>Applicable Standard (mg/m³)</th>
<th>ECV (mg/m³)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CMDPSU</td>
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### Table 70-2: Excessive Concentration Values (ECV) Based on the Average of 5 or 15 Full-Shift CMDPSU/CPDM Concentration Measurements

<table>
<thead>
<tr>
<th>Applicable Standard (mg/m³)</th>
<th>ECV (mg/m³) based on 5-Sample Average</th>
<th>ECV (mg/m³) based on 15-Sample Average</th>
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<tr>
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<td>0.31</td>
<td>0.22</td>
</tr>
</tbody>
</table>
Part 70
Bimonthly Sampling – MMU
Noncompliance

2 or more CMDPSU samples ≥ the Excessive Concentration Value (ECV) in Table 70-1 or

Average of all samples collected during a sampling period ≥ the ECV in Table 70-2
Citation for excessive dust issued – sequential actions to be taken:

- Respirators available to affected miners
- Immediately take corrective action to lower to or below applicable standard
- Make record of corrective action
  - Certify by mine foreman or equivalent
  - In secure book
  - Maintained at mine for at least 1 year
- Within 8 calendar days after date of citation, sample consecutive shifts until 5 valid samples collected
Citation terminated after

- Equivalent concentration of each of the 5 valid samples $\leq$ applicable standard
- Submit revised ventilation plan incorporating the corrective actions used
- Revised ventilation plan approved by DM
Part 70
Bimonthly Sampling - DA

First 18 months after effective date
- One valid sample each bimonthly period
  - If sample > applicable standard, collect 5 samples within 15 calendar days
  - Must start first day there is a production shift after receipt of notification

- If standard changes due to quartz – new standard effective 7 calendar days after date of notification
Part 70
Bimonthly Sampling – DA Compliance

1 sample ≥ ECV in Table 70-1

- Make respirators available
- Immediately take corrective action to lower to or below applicable standard
- Make record of corrective action
  - Certify by mine foreman or equivalent
  - In secure book
  - Maintained at mine for at least 1 year
Part 70
Bimonthly Sampling – DA Noncompliance

- 2 or more CMDPSU samples ≥ the Excessive Concentration Value (ECV) in Table 70-1 or
- Average of all samples collected during a sampling period ≥ the ECV in Table 70-2
Part 70
Bimonthly Sampling - DA
Noncompliance

- Citation for excessive dust issued – sequential actions to be taken:
  - Respirators available to affected miners
  - Immediately take corrective action to lower to or below applicable standard
  - Make record of corrective action
    - Certify by mine foreman or equivalent
    - In secure book
    - Maintained at mine for at least 1 year
  - Within 8 calendar days after date of citation, sample consecutive shifts until 5 valid samples collected
Citation terminated after

- Equivalent concentration of each of the 5 valid samples ≤ applicable standard
- Submit revised ventilation plan incorporating the corrective actions used
- Revised ventilation plan approved by DM
Part 70
Quarterly Sampling – MMU
(after 18 Months)

- Conducted with CPDM unless notified
- Sample DO consecutive shifts until 15 valid samples collected
  - Additional 15 shift groups may be required
    - District Manager discretion
    - Required if found not following approved ventilation plan
Part 70
Quarterly Sampling - MMU

Sample ODOs (formerly DAs on MMU) consecutive shifts until 15 valid samples collected

- ODO sampling not start until DO sampling complete
- Different ODO types sampled over separate time period during quarter

Example: RB sampled over 15 shifts after DO 15 shift sampling complete

Example: SCs sampled over 15 shifts after the DO 15 shift sampling and the RB 15 shift sampling is complete
DOs, ODOs to be sampled specified in rule

Other ODOs may be designated by the DM

New reduced standard due to quartz will be effective 7 calendar days after the date of notification

Samples exceeding applicable standard by 0.1 mg/m$^3$ or more will be used regardless of production
For each sample ≥ ECV in Table 70-1

- Make respirators available
- Immediately take corrective action to lower to or below applicable standard
- Make record of corrective action
  - Certify by mine foreman or equivalent
  - In secure book
  - Maintained at mine for at least 1 year
Part 70
Quarterly Sampling - MMU
Noncompliance

- 3 or more CPDM samples ≥ the Excessive Concentration Value (ECV) in Table 70-1
- or
- Average of all samples collected during a sampling period ≥ the ECV in Table 70-2
Citation for excessive dust issued – sequential actions to be taken:

- Respirators available to affected miners
- Immediately take corrective action to lower to or below applicable standard
- Make record of corrective action
  - Certify by mine foreman or equivalent
  - In secure book
  - Maintained at mine for at least 1 year
- Within 8 calendar days after date of citation, sample consecutive shifts until collect 5 valid samples
Citation terminated after
- Equivalent concentration of each of the 5 valid samples $\leq$ applicable standard
- Submit revised ventilation plan incorporating the corrective actions used
- Revised ventilation plan approved by DM
Part 70
Quarterly Sampling - DAs

- After 18 months sample each DA 5 consecutive shifts each quarter
  - No consecutive days cycle
- Quartz present – resulting in reduced standard
  - New standard effective 7 calendar days after date of notification
Part 70
Quarterly Sampling - DA Compliance

- For each sample $\geq$ ECV in Table 70-1
  - Make respirators available
  - Immediately take corrective action to lower to or below applicable standard
  - Make record of corrective action
    - Certify by mine foreman or equivalent
    - In secure book
    - Maintained at mine for at least 1 year
Part 70
Quarterly Sampling - DA
Noncompliance

- 2 or more CPDM samples ≥ the Excessive Concentration Value (ECV) in Table 70-1
- or
- Average of all samples collected during a sampling period ≥ the ECV in Table 70-2
Part 70
Quarterly Sampling - DA
Noncompliance

- Citation for excessive dust issued – sequential actions to be taken:
  - Respirators available to affected miners
  - Immediately take corrective action to lower to or below applicable standard
  - Make record of corrective action
    - Certify by mine foreman or equivalent
    - In secure book
    - Maintained at mine for at least 1 year
  - Within 8 calendar days after date of citation, sample consecutive shifts until collect 5 valid samples
Citation terminated after

- Equivalent concentration of each of the 5 valid samples $\leq$ applicable standard
- Submit revised ventilation plan incorporating the corrective actions used
- Revised ventilation plan approved by DM
Part 70
Transmission of Samples/Data

CMDPSU
- Transmit sample/control filter within 24 hours after end of sampling shift
- Data card completed and signed
- Not tamper with seal or alter weight

CPDM
- Mine official validate, certify and transmit electronically within 24 hours after end of sampling shift
  - Sample data file
  - Sample status conditions file
- Operator maintain data files at least 12 months
- Not tamper with CPDM or alter any data files
Part 70
Report and Posting

CMDPSU
- MSHA provide report of sample results
- Report posted at least 31 days

CPDM
- End-of-shift sample results – operator post within 12 hours after end of sampling shift
- Information remain posted until receipt of MSHA provided samples report
- MSHA sample results report posted at least 31 days
Part 70
Status Changes

Change in operational status of sampling entity reported within 3 days
– In writing or electronically
Part 72 – 72.100
Medical Monitoring

- Chest X-rays and spirometry examinations for all coal miners (Surface and Underground)
  - Must use NIOSH approved facility
  - Provided at frequency of at least 5 years (Voluntary)
  - New miners – within 30 days of first work (Mandatory)
  - Operators to develop plan for examinations
    - Plan must be approved by NIOSH
    - Plan submittal must include a roster of employees
  - Approved plan posted on mine bulletin board at all times
Part 72 – 72.700
Respiratory Equipment

- Operators make available NIOSH approved respirators as required by Parts 70, 71 and 90
- Respirator training when required by 70, 71 and 90
  - Provided prior to the miners’ next scheduled shift
  - Cover: care, fit, use and limitations of each type made available
  - Maintain record of training for at least 2 years
    - Includes name, date and subjects covered
- Respirator not a substitute for environmental controls
Secretary will use a single, full-shift sample to determine compliance/noncompliance with respirable dust standards

- Sample meets or exceeds ECV in Table 70-1, 71-1 or 90-1

Citation for meeting or exceeding the ECV associated with the applicable standard will be terminated as specified in Parts 70, 71 and 90.
Part 75 – 75.325

Air quantity

Air measurements must be taken at the end of the face ventilating device with a scrubber (if used) turned off.
Part 75 – 75.350
Belt Air Course Ventilation

- Respirable dust standard remains at 1.0 mg/m$^3$ on effective date of rule
- Standard reduced to 0.5 mg/m$^3$ 24 months after effective date of rule
- If a reduced standard is applicable on the working section that is less than the 1.0 mg/m$^3$ or 0.5 mg/m$^3$ standard, then the lowest applicable standard applies to the belt entry
Examination to assure compliance with respirable dust controls in plan
- Within 1 hour of shift change if there is no break in production
- Prior to resuming production if there is a break in production at shift change

Deficiencies corrected prior to production beginning or resuming
Part 75 – 75.362 (a)(2) On-shift Examinations

Examination includes:
- Air quantities and velocities
- Water pressures & flow rate
- Excessive leakage in water delivery system
- Water spray number and orientation
- Section ventilation & control placement
- Roof bolter dust collector vacuum
- Scrubber air flow rate
- Work practices in plan
- Any other dust suppression measures
Part 75 – 75.362 (g)(2) On-shift Examinations

- Examination and corrective actions must be recorded
- Certification of exam (date, time, initials) to be recorded on a board maintained on the MMU so that miners can see that controls were checked
- Record of exam verified and counter signed in a secure book
  - Certified person verify record in book by initials and date by the end of the shift exam conducted
  - Mine foreman or equivalent countersign after verified by certified person – no later than end of next scheduled work shift
- Record book retained at least 1 year
Part 75 – 75.371(f) & (j) Mine Ventilation Plan; Contents

- Minimum quantity of air **each** MMU
- Description of **each** different dust system on equipment
- Specific details of dust controls on **each** MMU:
  - Water spray information
  - Maximum ventilation device from working face
  - Maintenance of roof bolter dust collector
  - Work practices for equipment operators
- Specify type and size of scrubber screen
- Description of maintenance procedures for dust collectors on equipment
Part 71 New Terms

- Normal Work Shift
- Representative Samples
- Excessive Concentration Value (ECV)
Part 71
Standards

- 2.0 mg/m$^3$ on effective date
- 1.5 mg/m$^3$ 24 months after effective date
Part 71
Standards

Quartz

✓ Quartz standard 0.100 mg/m\(^3\) (100 µg/m\(^3\))
✓ Reduced standard established based on
  • Exceeding 100 µg/m\(^3\)
  • Formula: 10 divided by percent quartz
Part 71
Sampling General

- All sampling will be full-shift
- Control filters required when sampling with CMDPSU
- Miners required to wear CPDM trained on unit prior to wearing and every 12 months
- Operator record length of each shift – maintain record for 6 months
Part 71 Sampling
General (Cont.)

Control filters required when sampling with CMDPSU

- Control filter must have same pre-weight date
- Carried to same area of mine as sample
- Remain plugged entire shift
- Transmitted with sample to MSHA
- Dust data card completed
- Certified person to handle
Part 71 Certification

- Persons certified by MSHA to conduct sampling
- Persons certified by MSHA to maintain and calibrate sampling units
Part 71
Certification

- Re-certified every 3 years
- MSHA may revoke certification
- Certified in sampling may collect samples
- Certified in Maintenance can work on sampling units
  - Maintenance certification not cover sampling duties
Part 71
Pre-Shift Checks

- Pre-shift CMDPSU within 3 hours of sample shift
  - Examination of components
  - Examination of cyclone interior
  - Examination of external tubing
  - Examination of clamping/positioning
  - Testing of voltage under load
Part 71
Pre-Shift Checks

Pre-shift of CPDM within 3 hours of sample shift
- Follow procedures required by manufacturer
- Pre-operational examination
- Testing
- Set-up
Part 71
Flowrate

- Operate at
  - 2.0 lit/min for CMDPSU
  - 2.2 lit/min for CPDM
  - Other flowrate recommended by manufacturer or Sec. of Labor

- CMDPSU checked during 2nd and last hour of operation

- CPDM – examine unit at mid-shift or more often if specified in dust control plan
Part 71
DWP Sampling

1 Sample each quarter

Specific work positions required to be sampled

- Each highwall drill operator
- Bulldozer operators
- Other positions designated by the DM
Part 71
DWP Sampling  (cont.)

- Mines with multiple work positions in bulldozer and other work positions
  - Sample as the DWP, the position with greatest exposure performing activity/task in same location exposed to same dust generation source

- Identify work positions to DM
  - Within 60 days after the effective date of rule for current active mines
  - Within 30 calendar days of new mine being activated
  - Within 7 days of operational status change
Part 71
Sampling General

- Samples collected on normal work shift
- Any sample exceeding standard by 0.1 mg/m$^3$ or more used to determine compliance
- DWP samples collected on equipment operator or within 36 inches
- Non-equipment operator: on the miner at the location with highest dust exposure
Part 71

Sampling General

- DM may designate additional DWPs based on MSHA sampling
  - Work position exceeds 50% of the standard
  - Work position placed on a reduced standard due to quartz – exceeds 50% of the reduced standard

- DM may withdraw DWP from sampling
  - Applicable only to those additional DWPs established by the DM
  - No highwall drill or bulldozer DWP can be withdrawn from sampling

- DWP quartz
  - New standard effective 7 days after date of notification
Part 71
Exceed Standard

If the one representative quarterly sample exceeds the applicable standard

– Sample DWP each normal shift until 5 valid representative samples taken
– Begin sampling first normal work shift after notification
– Five samples used to determine compliance for sampling period
Part 71
Quarterly Sampling - DWP Compliance

For each sample \( \geq \) ECV in Table 71-1

- Make respirators available
- Immediately take corrective action to lower to or below applicable standard
- Make record of corrective action
  - Certify by mine foreman or equivalent
  - In secure book
  - Maintained at mine for at least 1 year
Part 71
Quarterly Sampling - DWP
Noncompliance

- 2 or more samples ≥ the Excessive Concentration Value (ECV) in Table 71-1
- or
- Average of all samples collected during a sampling period ≥ the ECV in Table 71-2
Part 71
Quarterly Sampling - DWP
Noncompliance

- Citation for excessive dust issued – sequential actions to be taken:
  - Respirators available to affected miners
  - Immediately take corrective action to lower to or below applicable standard
  - Make record of corrective action
    - Certify by mine foreman or equivalent
    - In secure book
    - Maintained at mine for at least 1 year
  - Within 8 calendar days after date of citation, sample consecutive shifts until collect 5 valid samples
Citation terminated after

- Equivalent concentration of each of the 5 valid samples $\leq$ applicable standard
Part 71
Transmission of Samples/Data

**CMDPSU**
- Transmit sample/control filter within 24 hours
- Data card completed and signed
  - Certified person who performed sample shift checks
- Not tamper with seal or alter weight

**CPDM**
- Certified person sampling must validate, certify and transmit electronically within 24 hours after end of sampling shift
  - Sample data file
  - Sample status conditions file
- Operator maintain data files at least 12 months
- Not tamper with CPDM or alter any data file
Part 71
Report and Posting

- CMDPSU
  - MSHA provide report of sample results
  - Report posted at least 31 days

- CPDM
  - End-of-shift sample results – operator post within 12 hours after end of sampling shift
  - Information remain posted until receipt of MSHA provided samples report
  - MSHA sample results report posted at least 31 days
Part 71
Status Changes

- Change in operational status of sampling entity reported within 3 days
  - In writing or electronically
Part 71 – 71.300
Respirable Dust Control Plan

- Plan required for a DWP within 15 days after termination date of citation for excessive dust
- Provisions for comments from representative of miners
  - Operator notify representative of miners 5 days prior to submission, provide copy if requested
  - Copy of proposed plan or revision available for inspection by representative
  - Representative may submit comments
- Copy of proposed plan or revision posted on mine bulletin board
- Specific information on DWP and controls used
Part 71 –
71.301 DWP Plan Approval

- Approved on a mine-by-mine basis
- Controls likely to maintain dust levels
- Provisions can be objectively determined
- Approved plan made available to representative of miners
  - Copy to representative upon request
  - Available for inspection by representative
  - Posted on mine bulletin board while in effect
Part 90

Applies to all coal miners – miners working at underground coal mines, surface coal mines or surface coal facilities
Part 90 New Terms

- Normal Work Shift
- Representative Samples
- Excessive Concentration Value (ECV)
Part 90
Standard

- 1.0 mg/m$^3$ standard on effective date of rule
- 0.5 mg/m$^3$ 24 months after effective date of rule
Part 90
Standard

- Quartz
  - Quartz standard 0.100 mg/m$^3$ (100 µg/m$^3$)
  - Reduced standard established based on
    - Exceeding 100 µg/m$^3$
    - Formula: 10 divided by percent quartz
      - No standard greater than the base standard for Part 90
Part 90
Transfer

- Existing position on same shift
- Different mine, shift or newly created position if miner agrees in writing
- Operator required to notify MSHA of any transfer
Part 90
Compensation

- Not less than rate of pay prior to exercising option
- Wage increases accrued to the position transferred to
Part 90
Waiver/Re-exercise

- Miner may waive rights under Part 90
- Miner may re-exercise Part 90 rights at any time
Part 90 Sampling
General (cont.)

- CMDPSU used for sampling on effective date of rule
- CPDM used for sampling 18 months after effective date of rule
Part 90 Sampling

General (cont.)

- Miners required to wear CPDM trained on unit prior to wearing and every 12 months
- All sampling will be full-shift, portal-to-portal
  - Change out of CMDPSU pump to complete full shift
  - Change out of CPDM unit to complete full shift
Control filters required when sampling with CMDPSU

- Control filter must have same pre-weight date
- Carried to same area of mine as sample
- Remain plugged entire shift
- Transmitted with sample to MSHA
- Dust data card completed
- Certified person to handle
Operator must record the length of each shift that Part 90 miner works
Part 90
Certifications

- Persons certified by MSHA to conduct sampling
- Persons certified by MSHA to maintain and calibrate sampling units
Part 90
Certifications

- Re-certified every 3 years
- MSHA may revoke certification
- Certified in sampling may collect samples
- Certified in Maintenance can work on sampling units
  - Maintenance certification not cover sampling duties
Part 90 Sampling
Pre-Shift Checks

- Pre-shift CMDPSU within 3 hours of shift
  - Examination of components
  - Examination of cyclone interior
  - Examination of external tubing
  - Examination of clamping/positioning
  - Testing of voltage under load
Part 90 Sampling
Pre-Shift Checks

Pre-shift of CPDM
– Follow procedures required by manufacturer
– Pre-operational examination
– Testing
– Set-up
Part 90 Flowrate

- Operate at
  - 2.0 lit/min for CMDPSU
  - 2.2 lit/min for CPDM
  - Other flowrate recommended by manufacturer or Sec. of Labor

- CMDPSU checked during 2nd and last hour of operation

- CPDM – examine unit at mid-shift or more often if specified in respirable dust control plan
Part 90
Transfer Sampling

5 samples within 15 days after:
  – 20 day grace period
  – Implementing a transfer after the 20 day grace period
Part 90
Compliance Sampling

- 5 samples each quarter
  - Consecutive work days
- New reduced standard due to quartz
  - Standard effective 7 days after date of notification
Part 90 Sampling Compliance

1 sample ≥ ECV in Table 90-1
- Make respirators available
- Immediately take corrective action to lower to or below applicable standard
- Make record of corrective action
  - Certify by mine foreman or equivalent
  - In secure book
  - Maintained at mine for at least 1 year
Part 90
Noncompliance

- 2 or more samples ≥ the Excessive Concentration Value (ECV) in Table 90-1 or
- Average of all samples collected during a sampling period ≥ the ECV in Table 90-2
Part 90
Noncompliance

Citation for excessive dust issued – sequential actions to be taken:

- Respirators available to affected miner
- Immediately take corrective actions to lower to or below applicable standard

If corrective actions involve reducing dust levels:

- Implement corrective actions
- Within 8 calendar days after date of citation, sample until 5 valid samples collected

If transferring Part 90 miner:

- Comply with transfer requirements (90.102)
- Within 15 calendar days after date of transfer, sample until 5 valid samples collected
- Make record of corrective action
  - Certify by mine foreman or equivalent
  - In secure book
  - Maintained at mine for at least 1 year
- Citation terminated after
  - Equivalent concentration of each of the 5 valid samples ≤ applicable standard
Part 90
Transmission of Samples/Data

- CMDPSU
  - Transmit sample/control filter within 24 hours after end of shift
  - Data card completed and signed
  - Not tamper with seal or alter weight

- CPDM
  - Certified person sampling must validate, certify and transmit electronically within 24 hours after end of sampling shift
    - Sample data file
    - Sample status conditions file
  - Operator maintain data files at least 12 months
  - Not tamper with CPDM or alter any data files
Part 90
Report and Posting

CMDPSU
- MSHA provide report of sample results
- Operator provide copy of report to Part 90 miner
- Do NOT post report

CPDM
- Certified person in sampling shall provide to each Part 90 miner a paper record (dust data card) of sample run signed by certified person within first hour next work shift
- Operator shall NOT post sample information
Part 90
Status Changes

Change in status of Part 90 miner reported within 3 days
  – In writing or electronically
Part 90
Respirable Dust Control Plan Filing

Plan required for a Part 90 miner after citation for excessive dust if operator elected to reduce dust exposure by reducing the dust level in current position

Include MIIN of Part 90 and specific details of controls

Specific information on how control measures will continue to be used
Part 90
Respirable Dust Control Plan
Approval

- Approved on a mine-by-mine basis
- Controls likely to maintain dust levels
- Provisions can be objectively determined
- Approved plan provided to Part 90 miner
- Approved plan *NOT* posted on mine bulletin board
- Operator may submit revisions for DM approval