VENTILATION

QUESTIONS and ANSWERS

November 9, 1992
INTRODUCTION

Since 1970, ventilation of underground coal mines in the United States has been governed by rules which appear at 30 CFR 75, Subpart D. Since the regulations were originally adopted, many changes have occurred in the coal mining industry. Mining methods and equipment have undergone many modifications. In addition, there have been technological advancements which were unforeseen when the old rule was drafted.

On May 15, 1992, the Mine Safety and Health Administration published a new rule - Safety Standards for Underground Coal Mine Ventilation. The new rule is comprehensive and incorporates numerous improvements. The agency believes that a thorough familiarity with the rule will benefit everyone.

To ensure an orderly and effective transition to the new rule, MSHA conducted internal training for all enforcement personnel. The agency also conducted 18 public informational meetings, nationwide, to introduce the new standards to the industry and labor organizations. The following compilation of questions and answers is based on the training sessions, public informational meetings, and subsequent discussions with industry and labor organizations.

The purpose of this document is to provide guidance and assistance to the mining community in applying the new standards in the specific cases represented by the questions. It is important to note, however, that this material is not a policy document and cannot be enforced as such. The questions and answers should be considered an educational tool and an additional source of information.
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300s - Misc.
Question: Is the longwall set-up face considered return before mining is started? Is non-permissible equipment allowed on the set-up face?

Answer: Non-permissible equipment can be on the setup face if not inby a last open crosscut or within 150 feet of pillar workings. Also note that 75.332 requires a separate split of intake air where mechanized mining equipment is being installed. Last open crosscut and pillar area distances govern the permissibility requirements.

Question: When does intake air used to ventilate a worked-out area become return air? Can non-permissible equipment enter such a worked-out area?

Answer: Intake air used to ventilate a worked-out area becomes return air upon entering the worked-out area. Accordingly, non-permissible equipment cannot enter such an area.

Question: When does the definition for return air not apply? If intake air does not become return air until after it passes the last working face why is any leakage outby into neutrals considered return air?

Answer: The definition always applies and its relationship to 75.507 is clear. This would prohibit air which has ventilated any working place from being coursed into the belt entry.

Question: When does intake air that has not ventilated the last working place become neutral air? Assuming that the direction of the neutral is going outby.

Answer: If the air has ventilated one or more places, the air is return air for the purposes of section 75.507-1 and cannot be used to ventilate non-permissible power connection points. If the air is taken from the intake split and the intake air is coursed outby and has not ventilated a working place, the air is intake air. The regulations contain no references to "neutral air." Belt entries must be ventilated by intake air since they may not be ventilated by return air.
Question: If air sweeps a section, is it intake until it reaches the block adjacent to the return?

Answer: Intake air is air that has not yet ventilated the last working place on any split of any working section, or any worked-out area, whether pillared or non-pillared. For the purposes of existing section 75.507-1, air that has been used to ventilate any working place in a coal-producing section or pillared area, or air that has been used to ventilate any working face if such air is directed away from the immediate return is return air.

Question: Does the last sentence of the definition for return air mean that after air has ventilated a single working face it cannot leak back through check curtains and down the belt entry? This will be difficult to comply with in mines using a blowing system of ventilation.

Answer: For the purposes of 75.507-1 this air would be considered return air and therefore would not be permitted to pass over non-permissible electric equipment, including that in the belt entry. This is consistent with current interpretation.

Question: Please explain the meaning of common air courses and how the 600 feet comes into effect? Is this separation of 600 feet at the drifts or underground separation? If the crosscuts between two intake entries are more than 600 feet apart do both entries have to be examined?

Answer: As indicated in the preamble discussion of 75.301, if entries or sets of entries are separated by permanent ventilation controls or blocks of coal and are not made common at less than 600 feet intervals they are separate air courses. Each air course must be examined so that the entire air course is traveled.

Question: On an active section, where does the return air course begin for purposes of MSHA rock dust surveys?

Answer: MSHA survey samples are taken to the loading point and spot samples are taken inby that point.

Question: Please define the difference between a worked-out area and an inaccessible area.
Answer: A worked-out area is an area where mining has been completed, whether pillared or non-pillared, excluding developing entries, return air courses, and intake air courses. An inaccessible area is an area that cannot be safely examined.

Question: Is an area worked-out if it has been advanced to the maximum but is still ventilated with intake air and has not been pillared?

Answer: A worked-out area is defined as an area where mining has been completed, whether pillared or non-pillared. Developing entries, return air courses, and intake air courses are not defined as worked-out areas. The regulations have specific requirements for developing entries, return air courses, and intake air courses. As an example, turn-out entry developments off of main entries (to allow overcast construction, etc.) are not worked-out areas so long as the area is properly maintained and examined. If, however, mining has been completed in an area where rooms have been developed off the entries (even if no pillar mining has occurred), the area is a worked-out area and 75.334(a) will be applied.

Question: Why are definitions not standardized to address all subparts? (Unique to Subpart D.)

Answer: The 75.2 definitions basically have not changed. The new definitions in Subpart D, ventilation, are only for defining the meanings of the new regulations and the use of new terminology.

Question: Qualified Persons - How is one qualified or deemed qualified by the Secretary?

Answer: See section 75.2 for the definition. This definition has not been changed.

Question: Is fireproof cloth considered noncombustible structure?

Answer: Only if the material meets requirements of ASTM E119-88 for noncombustible.
Question: What is MSHA's definition of working sections?

Answer: "Working section" means all areas of the coal mine from the loading point of the section to and including the working faces, 75.2(g)(3).

Question: Please define "installation and removal" of mechanized mining equipment?

Answer: Setting up and removal of longwalls, continuous miner, or conventional section equipment. Refer to the preamble discussion of 75.332 for a full discussion.

Question: Men must be withdrawn from "affected area" when methane is present. Please define "affected area"? (Example: If return on one section has excessive methane. Does section 2000' ft. inby come under affected area)?

Answer: Affected areas varies from case to case, but is generally considered the area which is endangered. For the example, the section 2000 feet inby could be endangered, dependant on the return methane concentration and other circumstances.
Question: How will air be supplied to the working faces of a new mine before or until the main fan is installed?

Answer: The operator should specify this in the preliminary plans submitted in accordance with 75.1721 which includes a proposed ventilation plan.

Question: Would a temporary fan come under "other requirements by the district manager"?

Answer: There are no specified requirements for a temporary fan. Ventilation of working places prior to the main fan installation would be included in the proposed ventilation plan required by 75.1721.

Question: Please define "booster fan".

Answer: An underground fan that operates on a main air current and provides "a boost" to the mine ventilating pressure for the purpose of increasing mine ventilation. An auxiliary fan is not a booster fan.
Question: Is a small, surface bleeder fan (i.e. 50,000 cfm) considered a "main mine fan"?

Answer: The determination of what is a main fan depends on the impact a shutdown of the fan would have on the overall ventilation system. If the impact of a shutdown on mine or section ventilation is immediate and perceptible, the fan is a main mine fan. A bleeder fan that is a component of the bleeder system would be part of the ventilation plan, see section 75.334(c).

Question: What types of devices will be acceptable as alternative devices to monitor fan pressure for fans that are permitted to shut down? Does this regulation specify what those devices are? What are the performance standards for those alternative devices, and where does the law specify those performance standards? What are other types of devices that MSHA finds acceptable to monitor fan pressure?

Answer: Section 75.310(a)(4) requires that main mine fans be equipped with a pressure recording device or fan monitoring system except that mines permitted to shut down fans under 75.311 may use an alternative device if approved in the ventilation plan. In the past, U-tube type water gauges have been accepted. By requiring approval through the ventilation plan, other alternative devices may be considered such as mechanical gauges, dependant on suitability, on a case-by-case basis.

Question: Does an operator have to apply for a petition of modification to install a water gauge on a fan instead of a pressure recording device?

Answer: No, mines which are permitted to shut down main mine fans under 75.311 may use an alternative device, such as a U-tube, for monitoring fan pressure provided it is approved in the ventilation plan.

Question: Which mines or what type of mines are going to be allowed to use U-tubes for fan pressure recording? Explain.
Answer: Currently there are a number of mines with limited workings that are permitted to stop the fan and to use a water gauge or U-tube. MSHA does not anticipate any change in the way it reviews and approves these on a mine-by-mine basis.

Question: Why were the words "equally effective" eliminated in referring to the U-tube. Does this mean that a new device may be used instead of the U-tube?

Answer: New technology may become available. In the meantime, a U-tube can be used, if approved.

Question: Do small operators have to have the AMS System on fan or can they still use water gage?

Answer: Certain small mines may continue to use a water gage in lieu of a continuous pressure recording device with district manager's approval. Fan monitoring systems, as described in 75.310(c), are not required.

Question: What are the performance standards for these alternative devices?

Answer: Some of the performance standards, which will be considered during the ventilation plan review, are that the device be suitable for the application and that it reliably and accurately indicate mine ventilation pressure.

Question: Is both a pressure recording device and a pressure gauge required?

Answer: No. An alternative device, such as a pressure gauge, may be approved in the ventilation plan for mines where approval has been granted to stop the fan during idle periods.

Question: Weak walls are not mentioned. Are they still approved?

Answer: The requirements for weak walls and explosion doors appear in 75.310(a)(5) and 75.310(d). The requirements are mandatory and are not subject to approval.

Question: What type things does AMS monitor at fan?
Answer: The fan monitoring system, where used, must monitor mine ventilating pressure, bearing temperature, rpm, vibration, voltage, and amperage and provide a signal that is automatically activated when an electrical or mechanical deficiency exists in monitoring system or sudden increase or loss in mine ventilating pressure occurs.

Question: Does this regulation establish any performance standards for fan monitoring systems? If so, what are they? Where can they be found in the final rule?

Answer: Section 75.310(c) and 75.312 specifies performance and testing requirements for any main mine fan monitoring system used under 75.312. The fan monitoring system is required to be self monitoring. Section 75.310(c)(1) requires that the system signal a surface location when an electrical or mechanical deficiency exists in the monitoring system. Continuous monitoring of the fan improves protection to miners in that changes in bearing temperatures, vibration, etc., can be detected and investigated rapidly. This should result in fewer fan failures and greater safety. Should the monitoring system fail, daily examinations would be required to comply with the regulation until the system is repaired and fully operational. No other performance standards are required by the regulations.

Question: Does this final rule require anyone to review the data collected by the fan monitoring system? If so, at what intervals?

Answer: If a fan monitoring system is being used, an examination must be performed every 7 days. Section 75.310(c) specifies that the system must record pressure and monitor bearing temperature, rpm, vibration, voltage, and amperage. The system must signal a surface location if there is an electrical or mechanical deficiency, or for a change in mine ventilating pressure. Other reviews of the system-collected data are not required.

Question: Will the computer printouts be required to be separate from production related printouts? Will safety or regulations printout be required to have its own separate printer?

Answer: No. No.
Question: Are there any safeguards in the regulations addressing AMS that will alert the miners representative if anyone has tampered with or deleted records?

Answer: No, however, inspectors will regularly review monitoring system output where these systems are used.

Question: Remote switch for deenergizing diesel back-up fan engine - does it have to be on the surface?

Answer: Yes, and it must be accessible.

Question: How far away does the remote shutdown controls need to be from the fan?

Answer: At a location so that in case of an emergency persons would be able to approach the controls and shut the fan down. I.e., safe area clear of smoke or other contaminants.

Question: What does it mean to have fuel supply protected?

Answer: The fuel supply must be protected against fires and explosions, 75.310(b)(2)(i). The preamble indicates that this protection may include the use of fire suppression systems or locating the fuel supply away from the ignition sources and combustible material.

Question: Do back-up internal combustion engines need to comply with all new regulations?

Answer: They would be required to meet the regulations that apply to the diesel engines and if used for a plan to allow persons, or circuits energized in the mine, the specifications of the installation must be noted in the plan. Any main fan installed for the purpose of providing a substantial proportion of mine ventilation, whether intended for continuous operation or as a backup, must meet the main mine fan installation requirements.

Question: How come you went to incombustible materials instead of fireproof?

Answer: The term incombustible, which is defined under the new
rule, was used for clarity and consistency throughout the new standards.

Question: The current standard uses the term fireproof relative to fan housings and ducts. The new regulation uses the term incombustible. Does the Agency envision a change from what is currently accepted? This change in wording occurs elsewhere in the regulation also.

Answer: MSHA is not aware of any fan installations which have been approved which do not meet the definition of incombustible. However, it is possible that somewhere an installation has been approved that was comprised of wood covered with a coating to make it fireproof. This type of installation would not be acceptable. Concrete block housings and steel ducts that are commonly used are acceptable.

Question: The current standard requires that fans "... be provided with a separate power circuit independent of any other mine circuit." The new regulation requires "... the (fan) motor shall operate from a power circuit independent of all mine power circuits." Does the Agency see this as a change?

Answer: No change was intended.

Question: Are automatic closing doors required on an exhaust fan where all other fans are blowing?

Answer: Probably not, automatic closing doors are required where air reversals are possible.

Question: Does not specify that motor cannot be in line with exhaust of mine fan, does for diesel, but not electric, so can it be in line now?

Answer: Except as provided by 75.310(e) for in-line installation, section 75.310(a)(6) requires that fans be offset 15 feet, same as the previous criteria. Permissible motor and installations are required if installed in return air.

Question: Will fan installation be offset less than 15 feet if approved by the district manager?
Answer: If the request is justified and the other means proposed provides equivalent protection.

Question: When (at what point) must fan signal activate alarm, when a fan slows down?

Answer: A signal is required when the fan is not operating at normal speed, it slows, or it stops.
Question: Does the area within 100' feet of main fan and intake openings include as combustible material; stockpiles, trees above highwall, sheet metal covered buildings, etc. Does dry timber, such as trees, during the fall season constitute combustible material as not to be located within 100 feet? If so what alternative precautions are necessary?

Answer: As discussed in the preamble, paragraph (f) prohibits accumulation of combustible and flammable material in the area surrounding each main mine fan and intake air opening. Liquid fuels and other flammable substances stored on the surface, as well as debris that can burn in the area of mine fans, present the hazard of mine ventilation systems becoming contaminated by smoke from a fire on the surface. Fallen or dry trees and brush should be removed, as should dry weeds. Live growth need not be cleared unless it presents a particular hazard. See the preamble for the full discussion.

Question: Do you have to have a plan approved by district managers to store timbers within 100 feet of fan or openings?

Answer: Yes, approval would be necessary through the ventilation plan.

Question: Are coal stockpiles permitted within 100 feet of main mine fans?

Answer: No. The regulation prohibits combustible material within 100 feet of main fans or intake openings unless alternative precautions necessary to provide protection from fire or other products of combustion are approved in the ventilation plan.

Question: The current standard relative to combustible materials around a fan has always been interpreted as meaning accumulations of combustible materials. Will the new regulation be interpreted this way also?

Answer: No substantive change was intended. The district manager has the latitude to deal with exceptions as necessary. See the preamble for further details.
Question: Would "combustible material" include the lubricating oil contained within the fan motor bearings?

Answer: No, see the preamble discussion.

Question: When does 75.311(f) become effective?

Answer: The standard becomes enforceable on the effective date of the rule, November 16, 1992, unless alternative precautions have been approved in the ventilation plan.

Question: When a fan is stopped intentionally with backup, who will put the requirements in the ventilation plan?

Answer: When a backup fan system is used that does not provide the ventilating quantity provided by the main mine fan, persons may be permitted in the mine and electric power circuits may be energized as specified in the approved ventilation plan. The process for submission and approval of a mine ventilation plan is listed in section 75.370.

Question: In multiple fan mines, if a mine fan is down, will the other fans in use in a multiple fan system be allowed to serve as backup fans?

Answer: No, it is possible, however, that essential activities such as pumping could continue if ventilation survey data indicated adequate ventilation could be maintained for these purposes.

Question: Section 75.311 does not address when multiple fans go down. Why? Mines in some areas liberate high methane causing serious problems within minutes after fan shutdown.

Answer: The same procedures apply if one or more main mine fans is intentionally stopped. If a mine has problems with methane, this would be addressed in the ventilation plan as provided by 75.311(c) for backup fans; otherwise, 75.311(b) specifies the requirements during intentional stoppages.

Question: What exactly is a backup fan? What are the standards of a backup fan? How long can a backup fan be used in
lieu of a main fan? What section of the law covers the inspection or monitoring of a backup fan? What type of maintenance or repair work can be done with this fan running? How long can you use a backup fan while the main fan is down?

Answer: A backup fan is a standby main mine fan at or near the location of the principal main mine fan which ordinarily operates. Its purpose is to provide mine ventilation on an interim basis in the event of a failure of the principal mine fan. A backup fan must conform with all installation requirements for main mine fans. Backup fans must be examined in the same manner as any main mine fan, during the period of its operation.

The backup fan may provide the same ventilating quantity as the main fan or it may not provide the same ventilating quantity. If a backup fan system is used that does not provide the ventilating quantity provided by the main mine fan, section 75.311(c) permits persons to be in the mine and electric power circuits to be energized as specified in the approved ventilation plan. This permits necessary maintenance activities, such as pumping water, to be conducted until normal mine ventilation is restored. This does not mean that when a backup fan is used that does not provide the same air quantity that the operator is exempted from the requirement to withdraw persons and de-energize or shutdown equipment. Persons must be withdrawn and power must be de-energized, as required, and then the persons specified in the approved ventilation plan may reenter the mine and electric circuits specified in the approved ventilation plan may be energized.

Question: Does intrinsically safe monitoring equipment apply if there is diesel backup that does not provide 100% air quantity? Can monitoring equipment continue to operate if main fan down and diesel backup operating?

Answer: Energized circuits will be addressed on a mine-by-mine basis in the ventilation plan. See 75.311(c).

Question: Does 75.311 require that a ventilation survey be conducted prior to the approval of persons underground and power energized when a back-up fan is used that does not provide the same ventilating quantity as the main mine fan?
Answer: A ventilation survey may be conducted to determine the effect of the stoppage, but a survey is not necessarily "required." However, sufficient information must be provided to MSHA upon which a decision can be based.

Question: How long can a back-up fan be used in lieu of a main mine fan?

Answer: No specified time limit, but only work specified in the ventilation plan can be performed, unless the backup fan provides the same air quantity as the principal main mine fan.

Question: Repaired promptly - define promptly.

Answer: Promptly means "at once or without delay."

Question: Which mines if any, will be able to shut-off the fan at end of working day?

Answer: On a case-by-case basis and after determining that no hazard would result, MSHA will continue to permit a limited number of small mines to shut off fans during idle periods. These mines liberate virtually no methane, do not have large sealed or unsealed worked-out areas, and typically operate only one shift per day.

Question: Is underground power required to be deenergized prior to stopping a main mine fan to test the fan signal and automatic closing doors?

Answer: The purpose of the 75.312 31-day tests is to ensure that the fan alarm and automatic closing doors are functional. If, after the alarm sounds and the doors close, the fan is not immediately restarted, the power circuits to underground areas must be deenergized.

Question: Can the main mine fan be stopped for maintenance and adjustment?

Answer: Yes, if 75.311 is followed.

Question: What type of work can be done with the fan off? Could cutting and/or welding be done?
Answer: Section 75.311(a) requires that main mine fans be continuously operated except as otherwise approved in the ventilation plan, or when testing doors or signal devices, during maintenance or adjustment of the fan, or when performing underground repairs or maintenance which cannot otherwise be made while the fan is operating.

Question: Are unforeseen but necessary fan stoppages for maintenance considered "planned stoppage"?

Answer: It would be considered an intentional stoppage. Refer to 75.311(b).

Question: What types of maintenance or repair work underground cannot be conducted while the fan is operating?

Answer: Work on or near the inby portion of the fan, or at any other underground location where a hazard would exist during fan operation.

Question: In section 75.311(b)(3), how are workers to get underground to evaluate fan stoppages if all electric power is deenergized?

Answer: Walk or be in place as allowed under 75.311(b)(1).

Question: May "main fan" settings be changed during idle (non-producing) periods without mine examination?

Answer: Yes. However, before anyone enters the mine to work, the mine must be examined. [see 75.324(b)(3) and 75.360(a)].

Question: Is someone required to be able to see or hear fan alarms when only certified persons are underground performing a preshift examination?

Answer: Yes, refer to 75.310(a)(3) and 75.311(e).

Question: Do intrinsically safe (IS) circuits, such as mine telephones, also have to be deenergized [reference to 75.311(h)] which allows IS atmospheric monitoring systems to continue to operate?
Answer: Yes, however, batteries (if used) need not be removed

Question: Can current AMS continue to operate in the event of a fan stoppage?

Answer: Current systems are not intrinsically safe and therefore could not continue to operate except if powered through a blue outstation that was installed on the surface or if used with a tube bundle system.

Question: Can auxiliary fans be used as a backup system in the event of main mine fan failure?

Answer: No, an auxiliary fan is not a backup fan

Question: What does "variation in fan pressure" mean? What investigation is required?

Answer: Minor fluctuations in fan operating pressure are normal; however, unusual changes can be indications of changes in fan operation or changes underground, such as roof falls or loss of ventilation controls. When any such unusual variance in the mine ventilating pressure occurs, an investigation must commence immediately to determine the cause.

Question: What happens when a signal sounds and is seen or heard by a responsible person? There is no explanation of what action is to be taken.

Answer: Section 75.311(d) requires that any unusual variance in pressure be investigated immediately.

Question: Define the difference - intentional fan stoppage or unintentional, permitting miners underground.

Answer: Deliberate stoppages are intentional. Unintentional stoppages are unplanned. Those persons permitted underground during intentional stoppages are those necessary to perform maintenance or repair work underground that cannot otherwise be done while the fan is operating.

Question: How can any man trained by operator such as any home owner, be responsible for these fan signals?
Answer: The rule requires a responsible person designated by the operator who is on duty while persons are underground.
Question: Does this regulation require anyone to periodically review the data from the fan monitoring systems to determine proper operation?

Answer: Section 75.312(b) requires that the monitoring system be tested for proper operation at least every 7 days. In addition, 75.310(c)(1) requires that the system signal a surface location when an electrical or mechanical deficiency exists in the monitoring system.

Question: Does this regulation establish any performance standards for fan monitoring systems? If so, what are they? Where can they be found in the final rule?

Answer: Section 75.310(c) specifies the requirements for any main mine fan monitoring system used under 75.312.

Question: Section 75.312 only requires an examination of the fan once every seven days if an monitoring system is provided?

Answer: Yes. Notice, however, that the system is required to be self-monitoring and must signal a surface location when an electrical or mechanical deficiency exists in the system.

Question: Is there any requirement where the print-outs being recorded by the fan monitor have to be kept for one year?

Answer: If the monitoring system is used to record mine ventilating pressure, the records must be maintained for one year and must be available for inspection.

Question: With the monitoring system you can check every seven days, how do you know something didn't go wrong during the seven days?

Answer: As required by 75.310(c)(1), the monitoring system must signal a surface location if any electrical or mechanical deficiency exists in the system or if a change in ventilating pressure occurs.
Question: Who and when will check fan monitoring?
Answer: A person designated by the operator will perform the examination, at least every 7 days.

Question: Describe a main fan monitoring system that would permit not checking the fan daily.
Answer: A monitoring system performing the function which are described in detail in regulations. See 75.310(c) and 75.312.

Question: Is there any alternative to a complete fan shut down every 31 days? There are other ways to test.
Answer: The regulations provide no alternatives to the functional 31-day tests.

Question: Fan tests required every 31 days or less?
Answer: The maximum interval of time is 31 days.

Question: There is concern in the industry that shutting down the fan every 31 days to test automatic closing doors will cause stress to the fan or may damage fan motors.
Answer: As discussed in the preamble, major fan manufacturers have indicated that test stoppages will not result in damage to the fan. Infrequent stoppages, such as for the 31-day tests, will not cause damage to AC motors.

Question: Will personnel have to be withdrawn during testing of fan signals and automatic closing doors?
Answer: Yes, unless concurrent maintenance or repairs are to be performed as provided under 75.311.

Question: Does ventilation plan have to say when you will stop fan to make alarm check, and if so, will you have to record pressure before shutdown and pressure after start up?
Answer: No ventilation plan provision is necessary. Tests are required every 31 days. No, you do not have to record pressure before shutdown and after startup.
Question: When testing the mine fan for automatic closing doors, alarms, etc., every 31 days, does the power extending underground have to be deenergized? "Bear in mind that the tests will not take more than 15 minutes to conduct." If so can we get relief by approval through the ventilation plan?

Answer: Underground power does not need to be deenergized for the 31-day testing of main mine fan stop signal and automatic closing doors provided that the fan is restarted immediately. Should a problem develop such that the fan cannot be restarted, all underground power must be deenergized. No relief may be granted through the ventilation plan.

Question: Monthly tests of explosion doors on fans. Will both the primary fan and the backup fan have to be shut down to properly test explosion doors?

Answer: No test is required for explosion doors. However, all automatic closing doors on all fans must be tested monthly. Ordinarily, there would be no need to start the backup fan for this test.

Question: If fan is equipped with self-closing doors on outside of fan with lead weights to close doors, do you still have to shut fan down?

Answer: Yes, every 31 days.

Question: A mine with multiple fans to meet the 31-day fan shutdown test, must each fan be shut down independently or can they all be shut down at same time?

Answer: The execution of test is at the operators discretion so long as a determination can be made that all fan signals work properly and that all doors function.

Question: Does the fan motor have to be stopped to check automatic closing doors?

Answer: The purpose of the test is not to stop the fan but to ensure that the doors close and that the alarm functions. The fan must be stopped or at least slowed enough to demonstrate, or test, that the doors will automatically close and that the alarm functions. Once
the test has been completed, the fan may be restarted even if the blades had not become motionless.

Question: Should inspectors require the operator to shut down the main fan(s) during a AAA inspection?

Answer: No, but the inspector may ask the operator when the fan signal test and automatic door test will be conducted so that the inspector may be present for the test.

Question: Are automatic closing doors required where more than one mine fan is being used?

Answer: Yes, if air reversals are possible, 75.310(f).

Question: If the fan is stopped because no one is working, the new rules say that the pressure readings be taken before and after the fan is stopped and started and is recorded. Is the recording going to be on a chart or is it just going to be recorded by an individual?

Answer: Pressure would be recorded by a person before and after the stoppage if a continuous recording device is not used under approval through the ventilation plan.

Question: For small mines working 5 days per week and running the fan continuously. What about daily inspections on the 2 days per week that no persons are at the mine?

Answer: This requirement is unchanged. Practice has been that examinations must be made on every day that persons will enter the mine (unless a fan monitoring system is used). Persons may not enter the mine until a fan examination is performed after any idle day(s) during which an examination was not conducted.

Question: Allows intrinsically safe monitoring systems to remain energized. What about other intrinsically safe circuits such as telephone systems?

Answer: Only intrinsically safe AMS circuits are mentioned in the standard - other power circuits must be deenergized. Batteries (if used) need not be removed.

Question: Can the person designated to examine the fan perform
electrical work on the installation?

Answer: Yes, if that person is qualified per other regulations

Question: Section 75.312 does not require that all defects affecting fan operations be recorded? Does this eliminate the requirement that the person conducting the examinations of the fan be trained by the operator?

Answer: Only defects which may affect the operation of the fan that are not corrected by the end of the shift need to be recorded. The fan examination must be conducted by a person designated by the operator. As indicated in the preamble, training is now separately addressed by 30 CFR 48 which did not exist when the old rule was developed.

Question: Fan examination certified by initials and date, where? Fan? Central location (mine office or bathhouse)? Who? Certified person, qualified person?

Answer: Fan examination is to be certified by initials and date by a person designated by the operator either at the fan or another location specified by the operator. If another location is selected, the certification must identify the fan examined in multiple fan systems.

Question: How can an inspector determine if the daily inspections are being performed when no record is being required to be kept unless there are uncorrected defects?

Answer: Each main mine fan and its associated components must be examined for proper operation by a person designated by the operator at least once each day that the fan operates unless a functioning main mine fan monitoring system is used. If a main mine fan monitoring system is used, a person designated by the operator must, at least every 7 days, test the monitoring system for proper operation and examine each main mine fan and its associated components. Persons making main mine fan examinations shall certify by initials and date at the fan or another location specified by the operator, that the examinations were made. Certification would indicate the frequency of examinations.

Question: Do fan defects detected by AMS have to be entered in a book if not corrected within the shift? What if a
defect was found a few minutes before the end of a shift?

Answer: The signal of the defect must be made to a surface location and the record should be made as required.

Question: How can we look at records when they will not be kept on mine site?

Answer: Section 75.312(h) requires that these records be retained at a surface location at the mine for at least one year and that they be made available for inspection by the Authorized Representatives of the Secretary and representatives of miners.

Question: How much record keeping will company have to do if they don't shut their fan down? How much record keeping if they do shut their fan down?

Answer: Daily certification for fan examination and record in a book any uncorrected defects. Maintain pressure recording charts. If fan is allowed to be stopped, time and pressure must be recorded before and after the stoppage. In all cases, records of the 31-day tests are required.

Question: Will the mine fan printout be a separate printout or will it be with the rest of the mine production information from how much coal is in the silo to how many gallons of water?

Answer: The rule does not require separate printouts as long as all required fan information is present.

Question: What type of record needs to be maintained of mine ventilating pressure to comply with this provision on mine fan monitoring system?

Answer: Mine fan pressure recording charts must be maintained as a record, 75.312(h). If a monitoring system is used, it must produce a continuous chart or graph of pressure - a table or other digital output is unacceptable.

Question: Does this regulation require a specific location where the fan monitoring system data will be collected and
location when an electrical or mechanical malfunction occurs to the system, or if a sudden change in mine ventilating pressure occurs. Section 75.312 specifies the records (such as mine fan pressure) and certifications to be maintained and requires that records be retained at a surface location at the mine for at least 1 year.
By Federal Register Notice, MSHA will administratively stay 75.313. Fan stoppage plan standards, formerly 75.321 and 75.321-1, will remain in effect redesignated as 75.314 and 75.315, respectively.
75.320

Question: Do detectors have to be calibrated with known mixture of oxygen or can they be set at normal ambient percentage?

Answer: The calibration can be confirmed by turning the detector on and verifying that its read-out shows 20.9 percent oxygen in intake air at the bottom of shaft, slope, or drift opening.

Question: Oxygen detectors shall be calibrated at the start of each shift that detectors will be used:

(1) Does this prohibit the use of oxygen detector tubes?
(2) If calibration in fresh air is acceptable to equipment manufacturer and no calibration gas is used, is this acceptable to MSHA?

Answer: (1) MSHA intends for approved detectors to be used for this purpose.
(2) Yes. The manufacturer's instructions should be followed to properly calibrate the detector (remember to check the detector at about the same elevation it will be used at as this will be a part of the approval).

Question: Who maintains the detectors?

Answer: The operator is responsible for maintaining the detector. Section 75.320(a) requires that the detectors must be maintained in permissible and proper operating condition.

Question: May this calibration be done during the prior shift and checked by the user at the start of the following shift.

Answer: The oxygen detector must be calibrated at the start of the shift that the detector will be used.

Question: When it says calibrated at beginning of each shift, is it talking about mechanical calibration or using actual gas?
Answer: Oxygen detectors must be calibrated at start of each shift, in fresh air at the approximate elevation where they will be used.

Question: Air Quality Detectors and Measurement Devices: Shall oxygen detectors be calibrated immediately before the start of the shift or may the lampman calibrate the detectors anytime before the start of the shift?

Answer: Oxygen detectors must be checked at start of each shift at approximately the same elevation as area to be checked.

Question: Do you have to be certified to calibrate oxygen, detectors?

Answer: No.

Question: Who will calibrate air quality detectors and what type of training shall this person receive and by whom?

Answer: The operator is responsible for maintaining detectors in permissible condition and in proper operating condition.

Question: How can we determine the oxygen percentage with flame safety lamps?

Answer: Flame safety lamps are not used to determine oxygen percentages, only oxygen deficiency. See 75.320(d).

Question: What do you do about the state requiring a flame safety light?

Answer: The flame safety lamp may be used for three years. After that, tests for oxygen must be made with an oxygen detector. The flame safety lamp can be used as a supplementary device. If the state requires tests with the flame safety lamp, you can first test with the oxygen detector and then with the flame safety lamp. The flame safety lamp can be used as a supplementary device.

Question: What is to keep MSHA approved device from failing?
Answer: The operator is responsible for seeing that the detector is maintained in permissible and in proper operating condition.

Question: What is the explosive range of methane?
Answer: Five to 15% in air, but the lower explosive limit can be lowered with coal dust in suspension.

Question: Could a flame safety lamp be used to complete an examination if a detector fails during the examination?
Answer: No, not after November 15, 1995.

Question: Does the approved oxygen detector for 19.5% include a permissible flame safety lamp as the only oxygen detection device?
Answer: No

Question: Does this mean that the flame safety lamps are at the operator's option?
Answer: Until November 16, 1995; after that, it may be used only as a supplementary device.

Question: What records, if any, are required for 31 day methane detector calibration?
Answer: Records are not specifically required. Section 75.320(a) requires MSHA approved detectors to be maintained in permissible and proper operating condition.

Question: When are tests for oxygen deficiency required?
Answer: During the preshift, supplemental, on-shift, and weekly examinations.

Question: Does the 12" rule still apply if a borehole is encountered? When taking tests near a borehole, underground?
Answer: The 12" rule would apply.
Question: What qualifications are required for use of carbon monoxide detection devices?

Answer: Not specified in the regulation.

Question: Does not require the operator to take these samples.

Answer: The operator is required to test for oxygen and methane. No other gas tests are required.

Question: Does not require detecting devices to be provided and maintained in lieu of bottle samples.

Answer: Bottle samples are not required.
75.321

Question: (1) What is MSHA's definition of contaminated air? (2) Can air be determined to be contaminated without taking bottle samples?

Answer: No definition of contaminated air is given by the rule. Sections 75.321 and 75.322 defines air quality standards to be maintained in areas where persons work or travel. A number of methods are available to determine air quality including hand-held detectors and instruments, in addition to samples collected for analysis.

Question: Does not require the operator to take these samples.

Answer: The operator is required to test for oxygen and methane. No other tests are required and these are the critical gases.

Question: Are periodic air samples by MSHA inspectors (bottle samples) eliminated?

Answer: MSHA inspection practices and procedures regarding gas sampling are unchanged by the new regulations.

Question: If a citation is issued for low oxygen (detected with a hand-held instrument) and a bottle sample reveals excessive carbon dioxide, should another citation be issued?

Answer: No, the original citation will suffice for both infractions but a modification may be necessary.

Question: Carbon monoxide of 2.5% - Has this been calculated as to the parts per million? Is the percentage a mistake?

Answer: There is no mistake. The concentrations listed in 75.321(b) represent 20% of the lower explosive limits for each respective gas. See the preamble for a full discussion. This requirement is unchanged from the earlier regulation, 75.301-5. Notice, however, that 2.5 percent equals 25,000 ppm.
Question: Does a test for carbon dioxide have to be conducted to assure quality less than 0.50%?

Answer: Routine tests for carbon dioxide are not required. Laboratory analysis of air samples collected by MSHA inspectors would indicate carbon dioxide. In any case, the operator is responsible for maintaining an atmosphere containing not more than 0.5 percent carbon dioxide in areas where persons work or travel.

Question: Will the route of travel of an examiner in bleeder entries have to meet the air quality requirements?

Answer: Yes.

Question: Regarding 19.5% oxygen where persons work or travel, does this include bleeders and bleeder connectors where weekly exams are made?

Answer: Yes, air quality must be maintained in areas where persons work or travel. During travel through and while performing tests within bleeder systems, the examiner must not enter atmospheres which violate 75.321(a). Section 75.321 does not, however, require that all air entering the bleeder entries from gob areas be maintained at the levels specified in paragraph (a). The purpose of the standard is to protect miners where they work or travel, not to regulate oxygen and carbon dioxide in areas where persons are not exposed. Bleeder connectors and evaluation points which do not meet the 75.321 oxygen and carbon dioxide standards are not necessarily violations if the evaluations can be performed remotely, or if the examiner can otherwise remain in air which meets 75.321. The air quality specified in 75.321(a) must, however, be maintained where examiners and miners work or travel.
Question: Is testing required for gases listed in section 75.322?

Answer: No, a regular sampling schedule is not specified. Nevertheless, the operator is responsible for maintaining the specified air quality.

Question: Reference to TLV's in regulations. Whose TLV's are used? (ACGIH?)

Answer: The regulation applies the current threshold limit values (TLV) as established by the American Conference of Governmental Industrial Hygienists (ACGIH).

Question: Which TLV's are to be used? Which year?

Answer: The standard was unchanged except for redesignation as 75.322. The 1972 threshold limit values established by the ACGIH were adopted under the old standard, 75.301-2. Because the new rule was unchanged, the 1972 values remain applicable.
Ventilation Questions & Answers

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75.323

Question: If methane reaches 1.5% or more, as described by 75.323(b)(2)(ii) does "disconnected at the power source" mean "unhook the nip from the power center"?

Answer: That is one possibility. Throwing the main disconnect of the power center is another way to accomplish this task.

Question: In methane greater than 1.0% but less than 1.5%, will it be possible to deenergize the section power from a breaker outby without having to disconnect nips at section power center?

Answer: Yes

Question: For the purpose of 75.323(c), can a section return air split go up to two percent methane once it has ventilated a seal?

Answer: Once the air split has ventilated a seal, the 2.0 percent methane limit applies.

Question: Can a section return from a longwall go to 1.5 percent methane? Where are the methane monitors required? Does the 30,000 cfm longwall requirement automatically meet the 27,000 cfm rule?

Answer: A longwall section return may reach this level provided the conditions specified in 75.323(d) and 75.351(b)(2) are met. If 30,000 cfm, or more if required in the ventilation plan, of air is available to ventilate the longwall face, the 27,000 cfm requirement under 75.323(d)(1)(i) would be satisfied. Section 75.351(b)(2) specifies the locations where AMS sensors are required.

Question: After a split ventilates the last working face, why is this not return air and why do you have to wait until you get to opposite the loading point to call the split a return? (i.e. 1.5% methane).

Answer: After air ventilates the last working place it is return air. (See the definition of return air.)
Regulations require that less than 1.0% be maintained in this area, or to the first AMS monitor.

Question: Actions for excessive methane in other return air courses - Does this section eliminate the current requirement for 2.0% areas to be specified in plan?

Answer: Yes. Previously, the requirement for 2.0% percent maximum methane in main returns was criteria which meant it had to be included in the ventilation plan to have effect. This is now mandatory and therefore no longer needed in plans.

Question: What can the methane be between the last working place and a point opposite the section loading point in the return on working section operating under 75.323(d)?

Answer: Whenever 1.0% or more methane is present in this area, changes or adjustments must be made to reduce the concentration to less than 1.0%. Section 75.323(d)(2) applies only to the return air split out by a point in the return opposite the section loading point. Section 75.323(c) is applicable between the last working place and the point opposite the loading point.

Question: Identify what equipment is to be deenergized when methane reaches 1.5% in section?

Answer: All equipment in affected area.

Question: What is the time frame for deenergizing equipment when 1.0% methane is present in a working place?

Answer: As soon as the methane is discovered, immediate action is required by 75.362(a)(2).

Question: What is the time frame for making changes or adjustments if methane is 1.0%?

Answer: Immediately, as required by 75.362(a)(2).

Question: Can people stay underground with 1.5% methane if it is not in their area? Old law said everyone withdrawn from mines.
Answer: The areas of the mine have certain methane limits, 2.0% in the main returns, 1.0% in the intakes, and 1.0% or 1.5% with precautions in the section returns. There never was a requirement to withdraw from the mine, only the affected area.

Question: Are rooms that were mined on the return side of an advancing unit considered "worked-out areas" for the purpose of 75.323(c)?

Answer: No, these rooms would not be a "worked-out area" until the entire panel was completed.

Question: How far is "immediately before" as stated in 75.323(e)?

Answer: "Immediately before" is the point where a representative air sample can be taken in the bleeder split which will not be affected by the airstream which the bleeder split is joining.

Question: For those mining sections using a continuous, mobile bridge haulage system, where is the section loading point?

Answer: The belt tailpiece.

Question: Must MSHA notify the company about excessive methane before a citation is issued or should the citation be issued without notice if appropriate action is not taken?

Answer: The new regulations have not changed the focus of the action required. When methane above the specified levels is found the regulation requires specific action by the operator. Notwithstanding an imminent danger, failure to follow the specific actions constitutes a violation, not the existence of the methane. However, excursions above 2.0 percent methane in areas described by 75.323(e) would be a violation of the standard.

Question: Regarding 75.323(b)(1)(i), what is the difference between deenergized and shut off?

Answer: Deenergized refers to electrical equipment. Shut off refers to mechanized equipment that is not electrically operated such as diesel equipment.
Question: Does this regulation specify where methane will be measured in a split of air returning from any working section?

Answer: Yes, anywhere between the last working place and where that split enters another split or ventilates seals or a worked-out area.

Question: Is there a requirement to ensure 27,000 cfm and continuous dusting is maintained (such as periodic testing) when operating 1.5% methane and AMS?

Answer: In addition to on-shift examinations, the operator is responsible for compliance at all times.

Question: Does this mean you can run with 1.5% methane if you have a trickle duster operating? Why would there be no requirements on this amount of dust being applied?

Answer: Operation may continue if methane is maintained below 1.5 percent provided that the other requirements under paragraph (d) are maintained, i.e. air quantity and AMS. There are also other regulations that specify the incombustible content while this standard provides for a continuous application of rock dust.

Question: What qualifies as continuous mechanical rockdusting?

Answer: An example would be a trickle duster.

Question: Where does visual/audible alarm need to be located for monitoring return?

Answer: At a surface location at the mine and affected section. Refer to the preamble discussion of 75.351(d).

Question: Does the 12-inch from the roof, face, rib and floor test apply to CO, oxygen and other gases the same as for methane? (Especially at seals 75.321).

Answer: No.

Question: Does the use of "and" in the phrase "at least 12 inches from the roof, face, ribs and floor" require 4 tests to
be made (i.e. on 12 inches from the roof, one 12 inches from the face, etc.)? Why were the methane tests changed to include tests 12" from the floor and does this mean that the methane monitors for AMS systems must have sensors both at the roof and the floor?

Answer: No, only one test is still required. Twelve inches is to allow for dilution by the air current.

Question: Where does the new regulations cover checking for methane layering?

Answer: The requirements for testing for methane have not been changed except for the addition of the term "floor."

Question: Where do you take gas tests in 20 inch coal? Is it in middle of height?

Answer: Yes.

Question: Twelve inch test - What is an adequate test for burning and welding, especially on a longwall pan line?

Answer: The required test for a methane test is at least 12 inches from the roof face, ribs, and floor. A test looking for methane feeders in an area prior to welding would be done differently.

Question: Should the inspector issue an imminent danger order when methane is over 1.5%?

Answer: Not automatically; it depends on the operator's action, surrounding conditions and circumstances, and its location.

Question: Reference 75.323(b)(2)(i) - If 1.5% methane is detected in a working place, how far outby the place will be considered the "affected area?"

Answer: The working section.

Question: What percentage is allowable within a bleeder system, excluding the point immediately before it enters another split? This question assumes no ignition source exists in the bleeder.

Answer: There is no level specified. Assessments of bleeder
systems are made on a mine-by-mine basis and depend on the particular circumstances in each mine.

Question: Why was the wording "at once" taken out of the regulations 75.323(b)? The current 75.308 which is a statutory provision, required changes or adjustments be made "at once".

Answer: This wording is no longer needed since 75.362(a)(2) requires that hazards must be corrected immediately.

Question: Does this regulation specify where methane will be measured in a split of air returning from any working section?

Answer: Yes. Anywhere between the last working place and where that split enters another split or ventilates seals or a worked-out area.

Question: When is the return not considered the section return?

Answer: After it ventilates seals or meets another split of air.

Question: In return air split alternative, what is the definition of "...point in return opposite loading point..."?

Answer: A point perpendicular to the entries, directly across from the loading point in the return.

Question: Is shutting down during the mining cycle to reduce (bleed-off) the amount of methane below 1.0% allowed?

Answer: Yes, refer to the preamble for further discussion.

Question: They now have to shut down to make changes and adjustments cannot keep mining while making these changes?

Answer: Same as before, see preamble discussion.

Question: What is MSHA's definition of "Intrinsically Safe"? Is it synonymous with MSHA approved?
Answer: No. Must have been tested and an identification marking issued through the MSHA Approval and Certification Center.

Question: Do requirements to deenergize electrical equipment include IS circuits other than AMS IS circuits?

Answer: Yes.

Question: Where is the requirement for locations of the two AMS devices in the return (at split) across from the loading point?

Answer: Section 75.351(b)(2) specifies the locations.

Question: How far apart do sensors for a monitoring system in return have to be?

Answer: The location for sensors are specified in 75.351. The distance could vary depending upon the depth of the panel.
Question: Did this new regulation eliminate the requirement of old 75.322 that a certified person ascertain the affects of the air change?

Answer: Section 75.324(b)(3) requires that areas must be examined by a certified person before restoring power in affected areas.

Question: Can ventilation changes be made with persons working underground in increments of less than 9,000 cfm even though the total change will be greater than 9,000 cfm when the change is completed?

Answer: It is likely that this type of change would materially affect the safety and health of persons in the mine by changing this, or another, split of air as described under 75.324(a)(1) and 75.370(c). The effect of the changed splits or other air current may also be a factor.

Question: When a ventilation change is made in excess of 9,000 cfm, can you do this on our idle day with the men working underground, no coal producing, or do you have to withdraw the men?

Answer: If section ventilation will be affected by 9,000 cfm or more, the requirements of paragraph (b) specify that only persons making the change in ventilation shall be in the mine.

Question: When making an air change in a section, does everyone have to be out of the mine or out of the section?

Answer: Section 75.324(b)(2) specifies that only persons making the change in ventilation shall be in the mine. This applies to changes defined under 75.324(a)(1) and (a)(2).

Question: If you do an air change in the main intake that does not affect the air on a section by more than 9,000 cfm, can you keep working on that section?

Answer: Yes, provided that the main air current is not altered
in a manner that could materially affect the safety or health of persons in the mine.

Question: Will there be any guidelines or policy on 75.324?

Answer: The regulation is largely derived from the previous regulation and policy. Further policy is not anticipated since a full discussion is developed in the preamble.

Question: Please give an example of when the main air current is altered to affect health and safety of miners? Give an example of alters the main air current in a manner that could materially affect the safety or health of persons in the mine? What does "materially affect" mean? To what degree or CFM amounts will you require submittal for approval before change is made? Can a new section be put on line if shown on 6-month map in plan?

Answer: Some examples of such ventilation changes are:
1. Reversal of air direction in a bleeder entry.
2. Shut down of one fan in a two-fan system.
3. Shut down of an operating section and redistributing the air throughout the rest of the mine.

Changes made to a complex ventilation system are not always easy to predict, and for this reason one should use caution when making significant changes to one air split or changes to several air splits. The balance of splits can be affected and may result in air reversals, dead air spaces, or insufficient flow in critical areas. For this reason, such changes must be evaluated by a certified person examining the affected areas before production is resumed. Approval is required by 75.370(c) if the change alters the main air current or any split of the main air current in a manner that could materially affect the safety and health of miners. Approval may not be necessary for putting a new section on line if the air change does not materially affect the safety and health of miners. Operators can utilize simulations to determine the effects of proposed changes and to ensure that the regulations are not violated.

Question: When auxiliary fans are started in a section and this creates a change of over 9,000 cfm on the section, does this require approval by the district manager?
Answer: Under these circumstances approval is not required. The section resistance may change as crosscuts are mined and multiple line brattice extended to crosscut faces. Also, section resistance may change with the operation of auxiliary fans. The purpose of the standard is not to prohibit normal redistribution of air within working sections.

Question: Does this rule eliminate the necessity to submit "supplements" to ventilation plan for minor changes?

Answer: Changes that alter the main air current or any split of the main air current in a manner which may materially affect the safety or health must be approved in the ventilation plan before implementation, 75.370(c). Likewise, approval is required if the ventilation change is a change of anything that is documented in the approved plan. Approval must be obtained prior to implementation.

Question: It has been stated "as long as the section air is not disrupted by more than 9,000 cfm." What about air outby and inby the section being affected when making air change when employees are underground?

Answer: Not only changes of 9,000 cfm in the last open crosscut, but changes that materially affect the safety or health of persons in the mine must be supervised by a person designated by the operator. Only persons making the change in ventilation may be in the mine. Examinations by certified persons must be made after the change.

Question: If no person is required to ascertain the results of an air change, how are we going to know if it has affected the health and safety of the miners. Did this new regulation eliminate the requirement of old 75.322 that a certified person ascertain the effects of the air change?

Answer: Section 75.324(b)(3) requires that areas must be examined by a certified person before restoring power in affected areas.
Question: What about emergency ventilation changes? If they don't materially affect they don't need approval? How would you interpret this section?

Answer: Operators must comply with 75.324 and 75.370(c)

Question: Can a split of air be changed with men working underground?

Answer: If the change "materially affects the health and safety" or affects section ventilation by 9000 cfm, only those persons that make or evaluate the changes can be in the mine. No one else is permitted in the mine even in the areas unaffected by the change.

Question: Regarding intentional ventilation changes, is the 9,000 cfm change measured in the last open crosscut or at the section regulator?

Answer: Section 75.324(a)(2) states "affects section ventilation by 9,000 cfm of air or more." This means the change would be measured on the "working section" as defined in 75.2. Therefore the measurement would be taken in the last open crosscut or on the section and not at the section regulator.
75.325

Question: What constitutes "continual compliance" for longwall mining systems as discussed in 75.325(c)(1)?

Answer: The violation history at each individual mine regarding methane and dust on the longwall section will indicate whether continual compliance is achieved. An excursion beyond the standard for either parameter may not necessarily violate the "continual compliance" rule if special circumstances were present during the sampling period.

Question: How is the longwall face quantity determined? Where is the measurement taken?

Answer: By measuring the volume of air in the intake entry or entries immediately outby the longwall face at a location in the entry or entries where a satisfactory measurement can be made. Belt entry ventilation would also be considered in determining the quantity reaching the working face of the longwall and should be added or subtracted from the result as appropriate.

Question: What quantity of air (minimum) is required for setting up or moving a longwall? Same as an active longwall?

Answer: This quantity is not necessarily the same as an active longwall and would be submitted and approved by the district manager in the ventilation plan.

Question: How much air do you need at the tail of the longwall?

Answer: The velocity of air must be specified in the approved ventilation plan at a location between 50 and 100 feet of the tailgate. The velocities required will be the amount necessary to control methane and respirable dust at or below applicable standards.

Question: Can MSHA still require face quantities for approval in the ventilation plan at locations along the longwall face if necessary for dust control?

Answer: The regulation addresses quantities delivered to the longwall face (at least 30,000 cfm) and velocities on
the face of the longwall. Two face minimum velocities are required along the longwall face. Extraordinary or unusual circumstances may necessitate additional plan provisions on a case-by-case basis.

Question: Do longwall velocities of air in plan need to address pre-cave conditions?
Answer: Yes, the plan should address velocities during all production phases. The plan should address ventilation of the void area prior to the initial cave. Velocities specified in ventilation plans must in all cases be adequate to meet methane and respirable dust standards.

Question: Are velocities required at head and tailgates of longwall face necessarily the same velocity?
Answer: No.

Question: On longwall face, how is the minimum velocity determined by MSHA (1) at headgate and (2) at tailgate.
Answer: For longwalls, ventilation plans must specify minimum air velocities on the face at two locations, between 50 and 100 feet of both headgate and tailgate. Velocities will be proposed by the operator in consideration of methane and respirable dust history. MSHA will review proposed plans for adequacy.

Question: Where are velocities measured on longwall with shields pushed up or back?
Answer: Unless otherwise specified in the mine ventilation plan, the velocities must be maintained at all times.

Question: The 30,000 cfm for longwalls, does this include air used in the bleeder or only air going up the longwall face?
Answer: Section 75.325(c)(1) refers to air "...reaching the working face of each longwall...." This means air delivered to the longwall. It would include belt air if it is used. The velocity requirements in the plan addresses the air actually directed across the longwall face.
Question: Does 30,000 cfm have to be provided to the longwall during nonproduction periods? Does the velocity have to be maintained across the longwall face at all times whether mining or not?

Answer: Yes. The requirement must be met when the equipment is ready to operate - that is, capable of producing coal by energizing the equipment. Refer to the rationale developed in the preamble for maintaining required ventilation in conventional and continuous mining sections. That is, if the section is available for production, the required air quantity must be provided. Similarly, if a longwall section is available for production, the minimum applicable air quantities and velocities must be provided. It should also be noted that any variation of 9000 cfm or more in the section ventilating air quantity could trigger 75.324 and/or 75.370(c).

Question: Operators of certain longwall sections will want less than 30,000 cfm, why don't you leave it at 30,000 cfm?

Answer: If a mine can show compliance with the quantity at less than 30,000 cfm then there is no reason not to approve less than 30,000 cfm. The 30,000 cfm is a bench mark. Low seams could have a relatively high velocities with 30,000 cfm being delivered to the face.

Question: If the mine ventilation plan already stipulates a quantity of air less than 30,000 cfm for the longwall face (and no problems have been encountered) does this not qualify as a demonstration that a "lesser quantity" is sufficient?

Answer: A district manager may accept a lesser quantity based on past history.

Question: Is 30,000 required at midpoint and near tailgate?

Answer: No, the location is specified by the rule.

Question: What is meant by the phrase "at or near" when measuring the quantity of air reaching the working face in 75.325(a)(2)?

Answer: The phrase "at or near" refers to a location where an accurate measurement can be obtained without subjecting
the person taking the measurements from the hazards of unsupported roof. Such a measurement can be obtained at or near the end of the line curtain with an anemometer. Similarly a pitot tube reading can be obtained at a distance outby the face end of the tubing but near the end of the tubing.

Question: If a section has been idled because of a disabled continuous miner, can the operator reduce the quantity to below 9,000 cfm while the miner is being repaired?

Answer: The preamble states that the Agency intends that this minimum apply to sections that are not operating but are capable of producing coal by simply energizing the equipment of the section. Other sections requiring more than just energizing equipment to become producing sections may not need to be provided with 9,000 cfm. However, ventilation changes to provide this minimum quantity must be made in accordance with section 75.324 prior to production.

Question: Are the manual "modified longwalls" used in anthracite mining to be considered longwall sections under 75.325?

Answer: These manual longwalls use supports set manually, not self-advancing, do not use coal shearing or plow type longwall sections, but are standard pillar recovery sections. For the purposes of 75.325(c), these anthracite systems are not considered longwalls.

Question: When setting up a new section at a one unit mine with only one set of production equipment, one miner, one face box, etc., is it required to maintain a separate split of air on the old section if all that remains is the conveyor belt and un-energized power cable. Can this belt and cable be reclaimed at anytime or only when the production unit is not operating?

Answer: Once the equipment and loading point is gone, the working section is gone and a separate split is not required. The belt and cable can be reclaimed at any time. If there is another unit set up, you cannot have a single split ventilating both the unit being recovered and the unit that is operating, or being set up to operate.

Question: Is belt structure, drives, etc., considered mining
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equipment?

Answer: No. Not when it mentions being setup and removed.

Question: Will air quantities in faces other than those being cut - loaded - extracted be required to have ventilation? What do we expect the required quantity to be?

Answer: If warranted, these will be required in the ventilation plan.

Question: Does the rule include the volume of air in dust collectors on roof bolters?

Answer: No.

Question: Is the point at which the 9,000 cfm measured different from the old rules? Such as in the cases where multiple returns are used and air is directed by backup curtains to outside return? Are permanent stoppings now required in all room developments? Where are examinations to be conducted?

Answer: Requiring a minimum of 9,000 cfm at the last open crosscut of each set of entries or rooms is effectively unchanged by 75.325(b). During the normal development of entries, or during normal room development in excess of 600 feet, the location for the required 9,000 cfm minimum is in the last open crosscut in the line of pillars containing the permanent stoppings separating the intake and return air courses. Similarly, during common room development performed to distances of 600, or less, feet on temporary stoppings as provided by 75.333(b)(1), the location for the required 9,000 cfm minimum is at the last open crosscut in the line of pillars containing the temporary stoppings which separate intake and return air courses. In unusual or hybrid room development systems where neither of the above are directly applicable, a suitable location for measurement of the 9,000 cfm minimum should be established in the mine ventilation plan under 75.371(f). Section 75.325(b) does not require that previously accepted development systems be abandoned, does not require new or additional ventilation controls, and does not require additional or duplicative locations where 9,000 cfm must be maintained.
Sections 75.360(c)(1) and 75.362(c)(1) require the examiner to determine the quantity of air in the last open crosscut. During normal entry development or during development of rooms in excess of 600 feet, the last open crosscut in the line of pillars containing the permanent stoppings is specified. Similarly, during common room development of 600 feet, or less, where temporary stoppings are used in place of permanent stoppings as provided by 75.333(b)(1), the examination location specified by the two standards is the last open crosscut in the line of pillars containing the temporary stoppings. Sections 75.360(c)(1) and 75.362(c)(1) cannot be used to require additional permanent stopping lines, or to require permanent rather than temporary stoppings in rooms developed up to 600 feet. Section 75.333(b) is the applicable standard and provides that temporary stoppings may be employed in room developments of 600 feet or less. Where hybrid or unusual room development systems are used or where confusion may exist regarding the examination location, the mine ventilation plan may specify a location under 75.371(f).

Question: Is 3,000 cfm required for drilling test holes? If 3,000 cfm required for roof bolting machines equipped with dust collectors?

Answer: No, unless otherwise specified in the ventilation plan. The regulation requires 3,000 cfm of air to be maintained at each working face where coal is being cut, mined, drilled for blasting, or loaded.

Question: Will the same face and last open crosscut air quantities, and brattice distances, be acceptable under the new rule?

Answer: Where the air quantities and distances specified in the new standards are inadequate to suit the conditions at a specific mine, requirements will be specified in the ventilation plan. Assuming continuing adequacy, the agency does not anticipate changes to the parameters which were previously approved.

Question: Please re-explain comments regarding air requirements for diffuser fans and scrubbers. Some mention was made of "not using free discharge capacity of fan, but normal operating conditions".
Answer: In reference to 75.325(a)(3), the actual operating volumes of scrubbers and diffuser fans must be specified in the ventilation plan.

Question: Does the Agency mean operating volume rather than name plate quantity?
Answer: Yes, because the numbers could be significantly different.

Question: Are venturi water sprays considered to be diffusers?
Answer: 

Question: What air quantity shall be maintained when there is no equipment in the face?
Answer: Comply with 75.325 or the ventilation plan if greater quantities are specified in the plan. Compliance with other standards, such as 75.323, may at times necessitate greater quantities if unprecedented conditions are encountered.

Question: What location do we take air reading?
Answer: The locations are specified in 75.360 through 75.364.

Question: What and how, if a greater or lesser quantity is needed in the ventilation is this determined, example ventilation survey done at mine, past experience of mining practices, history of mine and other mines in area? Just how will this be determined?
Answer: If the mandatory quantities are unsuitable, adequate quantities will be established by the normal plan approval process.

Question: Do the regulations define: -mechanized mining equipment? -removal? -installation?
Answer: Production equipment used on the working section inby the tailpiece is considered mechanized mining equipment for the purposes of section 75.325(d).
Question: Has mean entry air velocity been eliminated?
Answer: No, it is required by 75.326.

Question: Can lower mean entry air velocities, less than 60 fpm be approved by utilizing a minimum quantity without specifying a mean entry air velocity?
Answer: The standard requires that 60 fpm be maintained unless a lower minimum mean entry velocity has been approved in the mine ventilation plan. The requirement for a minimum mean entry air velocity cannot be eliminated by simply specifying an air quantity. Unless a minimum mean entry air velocity lower than 60 fpm has been approved in the ventilation plan, 60 fpm is required in accordance with 75.326.

Question: Means of checking mean air velocity in continuous mining machine section:
What if method used by operator and inspector differ in the results?
Use of smoke tube acceptable?
Answer: (1) Qualified persons should get similar results.
(2) Yes.

Question: Is the 60 fpm mean air velocity required for scoops (diesel) for cleanup?
Answer: Not unless it has been determined to be needed and is specified in the ventilation plan.

Question: Does the 60 fpm mean entry air velocity apply to rock faces (fault crossings, slopes, etc.)?
Answer: Applies to coal faces, or if addressed in the approved plan, other faces - the overall purpose is that methane and dust be controlled.

Question: Will we still use the old way to determine "mean air" velocity?
Answer: The old method is acceptable but other methods may now be employed under the new rule.

Question: I know of two cases where after a power center move, the section auxiliary fan was running backwards. With the elimination of old part 75.301-4(c) where it was required to check for the amount of air at the face in a new working face, how does this enhance the health and safety of miners?

Answer: There is effectively no change in the requirements. The on-shift examination has to be made to determine proper ventilation and methane concentrations. Additionally, the operator is responsible for continual compliance with the section ventilation standards.

Question: Plans which have variances to the mean air velocities. Will these have to be re-sampled?

Answer: Will not be required to, provided that methane and dust requirements are being complied with. Current plans approved under 75.302-1(a) will remain in effect but must be incorporated into the ventilation plan as required by 75.326, if different than 60 fpm.

Question: Will these plans be approved without re-sampling?

Answer: Yes, if methane and dust requirements are being complied with and if compliance is maintained.
Question: How will MSHA handle the 250 feet a minute on haulage road? What about the trolley entry 250 fpm limit?

Answer: This section, 75.327, regarding trolley haulage entry ventilation, remains unchanged. Unless the district manager approves a higher velocity in the ventilation plan, the velocity in trolley haulage entries shall not exceed 250 fpm.

Question: Can electric trolley air course air be used at face?

Answer: Yes, unless common with belt haulage entries in which case 75.350 would prohibit its use.

Question: Section 75.327 limits the velocity in trolley haulage systems to 250 fpm. Does the same standard now apply to battery track/belt aircourses?

Answer: No, it applies to trolley haulage entries. There was no change to this regulation.
75.330

Question: Where mines blast coal - where does the line curtain have to be installed? Does 10 feet of "toe of the coal" policy still apply?

Answer: This policy will be re-issued. Also, ventilation plans may specify "toe of the coal."

Question: Does it require ventilation devices to be properly installed and maintained? Does line brattice have to be adequately maintained?

Answer: The devices must be properly installed and maintained to deliver the required amount of air. Maintaining the required amount of air at all times is the important thing. This is a performance oriented standard.

Question: If line brattice is damaged, does it still have to be repaired immediately, and does production cease?

Answer: If the device were damaged such that the required air quantity or velocity was not being delivered, production would need to immediately cease and repairs be undertaken. Otherwise, a violation would exist.

Question: Will we be required to maintain a line curtain within 10 feet of deepest penetration or to last roof bolt?

Answer: Unless otherwise approved in the ventilation plan, brattice or other face ventilation devices must be installed at a distance no greater than 10 feet from the areas of deepest penetration in each working face from which coal is being cut, mined, drilled for blasting, or loaded.

Question: When an auxiliary fan is deenergized (between shifts) is natural ventilation acceptable alternate means if no methane accumulates while fans are down?

Answer: Section 75.330 requires the use of ventilation control devices as specified in paragraph (b). The tubing can be used to ventilate the working place after the fan is stopped if compliance with methane standards, 75.370 requirements, etc., can be maintained.
Question: If we are allowed to take a 30-foot cut, do we have to maintain curtain to within 10 foot of "deepest penetration" or will the last row of roof bolt safety requirement of curtain apply?

Answer: This requirement will be made mine specific and must be in the mine ventilation plan, if the distance is greater than 10 feet from the face.

Question: Our current ventilation plan exceeds the new rule for tubing/curtain to face distances. Do you anticipate re-approval of these distances assuming methane and dust control is successful?

Answer: These distances will remain as in the current plan unless the plan is determined to be inadequate.

Question: How can you install a device within 10 feet from deepest penetration - example - 40' cut at end of shift?

Answer: The ventilation plan will specify if something greater than 10 feet is allowed, otherwise it must be 10 feet at all times.

Question: When would other working places be required to be ventilated? Also at 75.325(a)(1).

Answer: Examples of where equipment or miners are required to work, bolting or to address methane accumulation problems.

Question: Face ventilation control devices - (b)(2). Will currently approved variances need be resubmitted with each ventilation review plan?

Answer: Current approvals must be incorporated into a 75.370 plan by February 15, 1993. Afterwards, only changes need be submitted except as provided by 75.370(a)(2) for consolidating fragmented plans.
75.331

Question: Other mechanized equipment - is this such things as battery tractors and diesel?
Answer: Yes.

Question: Why does the new language say de-energized or shutoff instead of just de-energized when no one is present on the section?
Answer: De-energized is intended for electrically operated auxiliary fans and shutoff is intended for nonelectrically operated auxiliary fans.

Question: Why do you still have to hang line brattice during auxiliary fan stoppage if your main fan is a pressure system and you can still show air movement at faces?
Answer: The requirements of section 75.330 must be satisfied when the fan stops. During idle periods when the auxiliary fan is stopped, tubing may be used to ventilate the working places provided that the required ventilation can be maintained, 75.331(d)(1).

Question: Regarding 75.331(c), do we need methane monitors installed on auxiliary fans to shut them down at 1.0% methane?
Answer: No monitor is required on an auxiliary fan.

Question: Does 75.331(a)(3) mean someone stay in the section when fans are run (in operation) between shifts? If so, do these people have to be certified?
Answer: Yes and the persons must only be qualified.

Question: Why do auxiliary fans or tubing have to be approved?
Answer: The previous auxiliary fan criteria for approval has been made mandatory and should no longer appear in plans. There is effectively no change in that the mandatory standard was developed from the criteria used in the past.
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Question: Auxiliary fans and tubing - is this to say that a diesel fan would not be required to be permissible?
Answer: No, it must be permissible.

Question: Electrical equipment in affected working places shall be disconnected at the power source. What is meant by disconnected? Knock the power on load center or supply equipment at load center?
Answer: It means disconnected at the power (load) center.

Question: Is an auxiliary face fan considered a booster fan?
Answer: No.
Question: Air that has passed by a worked-out area that is separated by permanent stoppings with regulators - can this air be used to ventilate an active section? It has passed by an opening that is unsealed and which cannot be examined.

Answer: The example of an unsealed unexamined worked-out area would be a violation in that all areas must be ventilated and properly examined, or be sealed.

Worked-out areas along intake aircourses may be ventilated by a split of air off of the intake to provide the necessary ventilation of the worked-out area. Approaches to worked-out areas along inbys must be preshift examined at the split point or at the inby-most split point where multiple openings to the worked-out area are in close proximity. The preshift examination is required if the intake air passing the openings is to be used to ventilate a working section where anyone is scheduled to work during the oncoming shift.

The following example should further clarify the provision of 75.332(b)(2). At some mines, panels worked-out along the main entries are ventilated with splits off the main intake. Ventilation of these panels, either pillared or non-pillared, is directed by permanent ventilation controls with the return air from the worked-out area going directly to main returns. Examinations are conducted in accordance with 75.364. The main intake then can be used to ventilate inby working sections if a preshift examination is performed at the split points into the worked-out areas, or at the inby-most split point if the openings into the worked-out area are in close proximity.

Air that has been used to ventilate a worked-out area, whether or not pillars have been recovered, cannot be used to ventilate a working section. Also, it may not be used if it has passed by any opening of an unsealed area that is not examined under 75.360, 75.361, or 75.364.

Question: Intake air that flows inby the loading point of one section but does not ventilate any faces or last open crosscuts, can it be taken outby to another section?
Answer: The definition of a working section is from the loading point inby. Therefore, when the intake air flows inby the loading point the air cannot be used to ventilate another section. Each section must be ventilated by a separate split of intake air.

Question: Was the 0.25% methane limit from old 75.311 and 75.312 eliminated for air used to ventilate any working place, and that has passed through or by any unsealed, abandoned or pillared area? What is the applicable methane limit for this air?

Answer: Air that has passed through an area that has been pillared cannot be used to ventilate any working place under the new rule. Air that has passed by any opening of any unsealed area that is not examined cannot be used to ventilate any working place under the new rule.

Question: Loading Machine - Can two scoops be on the same split of air?

Answer: Yes.

Question: Separate intake split where equipment is being set up at what point of constructing a new section will this take effect? You have to have equipment to construct overcasts before you can have a separate intake split when do you call it being set-up?

Answer: When mechanized mining equipment is being installed for the purpose of mining coal; when equipment is engaged in cutting, mining, or loading coal or rock from the working places; and when removing the equipment after mining has been completed.

Question: Does a mains section with a double unit, 2 miners, etc., need 2 separate intake escapeways?

Answer: As discussed in the preamble, so-called supersections may continue to be used. Escapeways must be provided as specified by 75.380 but two separate intake escapeways are not required.

Question: What does "separate split of intake air" mean?

Answer: This means that each working section must be ventilated
with a distinct split of intake air, uncontaminated by
another set of mining equipment, directed by overcasts,
undercasts, or other permanent ventilation controls.
The objective is to ensure that each section is
provided with air not contaminated with gases or dust
from another set of mining equipment.

Question: When using blowing face ventilation with a scrubber,
will there be changes made?
Answer: Face ventilation systems currently approved - and if
they remain effective - can continue to be approved.

Question: Will this require a separate split for a continuous
miner being trammed under its own power from a section
to the surface or from one section to another section
within the mine?
Answer: No.

Question: Can equipment for one longwall be installed in the
return of the operating longwall? Can preparation work
be done?
Answer: Longwall equipment cannot be installed in the return
from another longwall section. Preparation work may be
performed in the return from another longwall section.

Question: What is an opening to a worked-out area? Would a punch
into a rib of less than 20 feet be considered a worked-
out area?
Answer: If less than 20 feet, then there are no unusual
examination requirements.

Question: Does this preclude two mechanized mining units on one
section using the 3 stopping rows for fishtail air?
Answer: No.

Question: Does each panel in a set of sub-mains have to be
ventilated separately with overcasts if one mining unit
will mine all three panels, for example, one mining
section mines all three panels. Are overcasts required
at the mouth of each panel before equipment is moved?
A separate split of air is required for each working section and each area where mechanized mining equipment is being installed or removed.

Can a continuous stopping line be used under 75.332 for a situation where equipment is being moved from one panel to another so long as the equipment is removed from old panel and stopping line completed before any equipment is moved into new area. Both areas are on same split but never at the same time.

The example as shown with continuous stopping line and the removing of equipment from one area before installing in another area meets requirements of section 75.332.

May longwall equipment be removed and be stored along the length of a subsequent panel (outby the future loading point) and be ventilated by the same split?

Section 75.332 addresses only working sections and areas where equipment is being installed or removed. Therefore, if the equipment were not being installed, it would be acceptable to store the equipment in areas other than the installation location, on the same split.

Define opening of any unsealed area.

Same as old 75.303. Air that has passed by any opening of any unsealed area that is not examined under 75.360, 75.361, or 75.364 shall not be used to ventilate any working place.

Can rock be loaded in one entry of a single split section at the same time coal is being loaded in another entry of the same section?

No, 75.332(a)(2) states coal or rock. Rock could, however, be loaded at some other location outby the section.

Can you cut coal with a miner and clean coal from a cut with a scoop in the same split at the same time?

Yes. See the preamble. A scoop is not a loading
Question: Can two cutting machines cut coal simultaneously on the same split of air?
Answer: Yes.

Question: Can scoops load out of more than 1 place on a section without requiring separate splits of air?
Answer: Yes.

Question: Is two sets of mining equipment, mining simultaneously two mechanized mining units?
Answer: Yes.

Question: Does the separate split of air go for longwall or for all mines?
Answer: All underground coal mines.
75.333

Question: Are doors to be put in all stopping lines, spaced 300 to 600 feet?

Answer: Yes, for permanent stoppings constructed after November 16, 1992 personnel doors will be required in those stoppings every 300 feet in seam heights below 48 inches and 600 feet in seam heights 48 inches or higher.

Question: Will the 48" be average seam height or will doors be required at 300 foot distance if one area has a height of 48" or less and the rest is greater than 48"?

Answer: Should place doors at 300' intervals where coal seam less than 48" - 600' intervals where seam greater than 48" - purpose of doors being closer in lower coal seam heights is travel takes more time.

Question: Personnel doors 300-foot intervals below 48 inches, 600-foot intervals 48-inches and above. Intended purpose - permit travel between air courses. Are doors required at 300 or 600 foot intervals - between all air courses or just between escapeways?

Answer: Between all air courses in each stopping line.

Question: Does MSHA anticipate seeing a "line" of doors every 300' or 600' from No. 1 to No. 8 for instance?

Answer: Could be but does not have to be. Will have to be every 300' or 600' in each line of stoppings.

Question: Does a sign have to be in the entry to locate the door or can you put the sign on door? Does only the door need marked or is marking required in the escapeway, i.e., does an arrow need to be installed in the entry pointing to door and all entries on either side of the stopping line - visible while traveling in the entry? Do personnel doors have to be marked out in adjacent entries?

Answer: The location of the personnel doors must be marked, not the door itself. The signs for the doors shall be in
the entry on either side of the door and in the designated escapeway entry if it is not an adjacent entry.

Question: Can only the doors at 600 foot intervals be marked?
Answer: The location of all personnel doors in stoppings along escapeways must be marked [(75.333(c)(2)].

Question: If personnel door spacings are less than 600 feet (ours currently 200 feet in some areas) are signs required on all?
Answer: Yes, all those installed after the effective date of the rule.

Question: Paragraph (c) indicates personnel doors must be noncombustible while paragraph (d) indicates doors are exempt from noncombustibility?
Answer: Paragraph (c) of this section covers personnel doors while paragraph (d) covers doors other than personnel doors.

Question: Is there a standard on type of ducting required to ventilate electric installations to return?
Answer: These devices are used to control or regulate airflow. Since the devices are used as permanent ventilation controls and as small regulators, their construction must comply with 75.333(e)(1) which specifies durable and noncombustible materials.

Question: Please explain your policy on what is required for proper markings. Can this door location be marked on the lifeline located in the center of the return escapeway and is the center of the adjacent entry or do the doors themselves have to be marked?
Answer: There is no policy for 75.333(c)(2). The location of all personnel doors in stoppings along escapeways shall be clearly marked so that the doors may be easily identified by anyone traveling in the escapeway and in the entries on either side of the doors.
Question: Final rule requires that doors be clearly marked. Marked how? Marked by reflectors, tape, door number?
Answer: The regulation or preamble does not state how except "clearly marked". What ever method is used should be included in training for the miners and discussed during fire drills where escapeways are routed through doors.

Question: Does installation of signs start from where doors are installed after the effective date, or do we have to back up and put sign at all escapeways from the surface?
Answer: Areas developed after the effective date.

Question: Will this require directional signs? Will a system of reflectors hung off the roof be allowed if they do not have directional arrows?
Answer: A person should know the location of the door from the signs.

Question: Is a reflector on both sides of mandoor adequate to clearly mark a door or will some type of sign out in escapeway be required to indicated the door location?
Answer: No. Some type of sign is required in escapeway.

Question: If you maintain three lines of stoppings, do all three need personnel doors?
Answer: Yes, this will permit travel between air courses.

Question: Will, or could different areas of the mines be under different regulations if the height varies?
Answer: Yes

Question: In marking personnel doors, do areas developed prior to November 16, 1992 require such markings?
Answer: No. Paragraph (c) and its three subparagraphs describe stopping construction requirements for "...stoppings constructed after..." the effective date of the rule.
Question: Do mandoors in stoppings have to be four feet wide?
Answer: Only if an escapeway is routed through the door.

Question: Are airlocks used near the working sections for supply purposes that are advanced with the section considered as permanent controls? Would these controls be constructed under the definition of durable?
Answer: Must comply with 75.333(d).

Question: Will special approval be required for air-lock doors?
Answer: No.

Question: Can prefabricated equipment doors be used that incorporate a rubber seal to limit leakage?
Answer: Yes, provided that the manufacturer submits test data which indicates that the material is acceptable and the equipment doors are installed in compliance with 75.333(d).

Question: If equipment doors are installed between intake and belt entry and belt air is used for face ventilation, do the equipment doors have to be installed in pairs to form an airlock between the two intake (Main and belt) entries?
Answer: Yes.

Question: Will ventilation controls installed prior to the effective date fall under the grandfather clause?
Answer: Yes, 75.333(b) applies to permanent stoppings or other permanent ventilation control devices constructed after November 15, 1992. Stoppings or other devices constructed prior to November 16, 1992 must comply with construction requirements in effect at the time of their construction.

Question: Can you use 4-inch or 6-inch blocks in 20 to 48 inch coal?
Answer: Both 4-inch and 6-inch blocks, used in less than 48-inch coal, laid up dry and coated on both sides with at least 1/4 inch of a suitable surface bonding product for dry-stack application are structurally equivalent. The standard requires stoppings to be structurally equivalent to 8-inches hollow-core concrete blocks with mortared joints. Tongue and groove 4-inch block is acceptable in applications for heights over 48 inches if properly coated on both sides by a suitable product.

Question: Are dry stacked stoppings plastered on one side acceptable?

Answer: The law does not preclude this, but so far no product has demonstrated adequate strength when applied to only one side. However, if the stopping, when tested under section 12 of the American Society for Testing and Materials (ASTM) E72-80, passes the test, the stopping will be acceptable.

Question: Must personnel doors always be installed in pairs to form an airlock?

Answer: No. Doors other than personnel doors must be installed in airlock pairs.

Question: May conveyor belt material be utilized as doors?

Answer: No.

Question: Can hollow block stoppings be built drywall and plastered with a sealant on one side?

Answer: Dry stacked stoppings which have been evaluated only meet the requirements if properly coated on both sides. One sided coating is unacceptable. If the stopping, when tested under section 12 of the American Society for Testing and Materials (ASTM) E72-80, passes the test, the stopping will be acceptable.

Question: Do the new regulations exclude the use of Jack Kennedy stoppings even if it was approved in the old plan? What about Kennedy prefabricated personnel doors with the rubber gaskets for leakage control through the doors? Is the rubber gasket material acceptable?
Answer: Kennedy Panelized Metal Stoppings meet MSHA re-requirements for noncombustibility and durability. The manufacturer has submitted fire test data which indicates that the rubber gasket material is acceptable. These products may continue to be used under the new standards.

Question: Must all permanent stoppings have mortared joints?
Answer: No, but the stoppings must be structurally equivalent to an 8-inch hollow-core concrete block stopping with mortared joints as described in ASTM E72-80. One possible alternative is a dry stacked block stopping which is adequately coated on both sides with a suitable surface bonding mortar.

Question: Are Kennedy stoppings considered as aluminum or steel?
Answer: Steel.

Question: Will permanent stoppings already installed at the time the new regulations take effect have to be redone to comply with "equivalency of mortared joint" requirement?
Answer: No. Old stoppings need not be replaced; however, must be adequately maintained.

Question: Can wood, such as curtain boards and half headers, be used in stoppings on top and bottom? If so, is approval required and how much plaster is required?
Answer: Yes. Wood can be used to secure or tighten stoppings with 1/8-inch to 1/4-inch coating of sealant on all exposed surfaces so as to meet the 75.333 requirements.

Question: What type of tubing can be used to ventilate pumps, electrical boxes, etc., directly to the return air courses?
Answer: Material which is durable and noncombustible, such as steel. PVC, plastic, aluminum, etc., are not acceptable.

Question: Define construction of air-lock doors, metal, wood,
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belt, etc.? Example: Between belt entries and return airways and/or between two intake splits.

Answer: Must be made of noncombustible material or coated on all accessible surfaces with flame retardant material, having a flame spread index of 25 or less, as tested under the American Society for Testing Materials (ASTM) E162-87. Also, they must be of sufficient strength to serve their intended purpose. "Durable."

Question: Are galvanized items acceptable?

Answer: Yes, it must meet requirements of durable and noncombustible material.

Question: Can you use aluminum doors or aluminum brattices after November 15, 1992?

Answer: No.

Question: Do you anticipate intake side stoppings being maintained to the second open crosscut?

Answer: Intake side stoppings must be maintained to the loading point to isolate the escapeway. The return side stoppings must be maintained to and including the third open crosscut unless otherwise approved in the ventilation plan.

Question: When the third connecting crosscut is broken through, how soon must the stopping be built?

Answer: A stopping must be completed prior to breaking-through the third connecting crosscut outby the face; otherwise, a violation would exist. At all times, stoppings must be maintained to and including the third connecting crosscut. This needs to be done on cycle.

Question: Construction of regulators - What is adjustable? Can personnel doors be constructed of wood and be fire coated?

Answer: Paragraph (e)(1) requires regulators installed after the effective date to be constructed of durable and noncombustible material. Personnel doors must be constructed of noncombustible material according to
paragraph (c). Coated wood could be used provided that the resulting device would continue to serve its intended function for 1 hour when subjected to a fire test incorporating an ASTM E119-88 time/temperature heat input.

Question: Will MSHA still be able to issue 3rd open cross-cut permits?
Answer: There will not be specific permits for this. The use of 3 open crosscuts, for example, may be approved in the ventilation plan if adequately justified.

Question: Rooms on the return side of advancing butt. Do permanent stoppings need to be installed from the return entries to the room faces? While perimeter mining more than three crosscuts, are frame curtains adequate to maintain air to working face?
Answer: Section 75.333(b)(5) allows rooms to be ventilated with temporary stoppings. These rooms can be no more than 600 feet in depth, measured from the centerline of the entry and the required quantities and velocities of air must be maintained. If the rooms are deeper than 600 feet, then all stoppings must be of permanent construction.

Question: Are permanent stoppings required in worked-out rooms less than 600 ft. from centerline?
Answer: No, just into worked-out panels. The rooms can be ventilated by temporary stoppings.

Question: Is it mandatory to have permanent stoppings across return airways directing air into worked-out areas if adequately ventilated without them?
Answer: A permanent stopping or other permanent ventilation control must be used.

Question: Do doors, belt flies, transformer enclosures, and such things in place before the effective date, have to be changed?
Answer: If all other requirements are met, no
Question: What about existing areas of mines where rooms exist deeper than 20 feet?

Answer: See 75.333(g), the rooms must be ventilated.

Question: Do I need stopping line between belt/trolley and intake which is not an escapeway?

Answer: Yes, if the intake is to be used to ventilate the working face, 75.350.
Question: Will this statement in the ventilation plan satisfy the requirements of 75.334(c)(3), "Install additional supports where necessary".

Answer: No.

Question: What is acceptable for water removal to satisfy requirement of 75.334(c)(3)?

Answer: If water is expected, operator needs a drainage and dewatering procedure.

Question: The means for adequately maintained bleeder entries free of obstruction such as roof falls and standing water. How deep will standing water be permitted?

Answer: This will be assessed by inspectors, but the required examinations should not be impeded and in no case may ventilation be impaired by accumulations of water.

Question: Will wrap-around bleeders be allowed?

Answer: Yes, if adequate and suitable to the particular conditions at the mine.

Question: If the top side of a wrap-around bleeder system cannot be evaluated, must the affected area be sealed?

Answer: Yes, if an alternate location cannot be approved in the ventilation plan.

Question: Bleeder systems must be maintained to where? To the top of the shaft or where?

Answer: The bleeder system must be maintained so as to deliver methane-air mixtures into a mine return air course or to the surface of the mine.

Question: Does this regulation require that all bleeders be traveled?
Answer: No, provided that effective bleeder evaluation points can be established and are approved in the ventilation plan. See section 364(a)(2)(iii).

Question: What determines a history of spontaneous combustion? Will two times do this? Will a weekly examination take care of it?

Answer: Refer to the discussion in the preamble. The preamble states that a demonstrated history of spontaneous combustion may be a single event. A weekly examination may be a method to check on whether spontaneous combustion is occurring.

Question: If a bleeder system is not used, aren't we taking away an alternate escapeway?

Answer: No, because an alternate escapeway is not required through bleeder entries.

Question: What is the "design" of the system for bleeders? How are operators to describe this in the plan? Some guidance is needed.

Answer: The information to be included in the ventilation plan is listed in 75.334(c)(1) through (4). The regulation, together with the preamble discussion, is sufficient to describe the required information.

Question: Is the bleederless system an option which could be selected by all operators?

Answer: No. The bleederless provision is an alternative which will be considered only in the rare cases where conventional bleeders would pose a hazard. This provision is consistent with past practices, where MSHA has approved a small number of bleederless retreat mining plans where conventional bleeder systems could not be successfully employed. The standard provides specific safety measures and requires actions to be taken to protect miners when operating under this system. Specific information must be included in the ventilation plan and will be reviewed on a mine-by-mine basis, as in the past.
75.335

Question: Will poured concrete pass the seal test? If yes, how thick?

Answer: Possibly, there has been limited testing and some mathematical modeling is currently underway to answer these questions. The results will be made available to the districts when completed.

Question: If seals average 10 to 12 feet in height, will MSHA insist that the sampling pipe be 12 inches from the roof?

Answer: The inby end of the sampling pipe must be about 12 inches from the roof.

Question: Section 75.335(c)(1) states that a corrosion resistant water pipe shall be installed in low seals and at all other locations necessary. One seal has to have a water pipe?

Answer: The possible accumulation of water behind seals drives the need for water pipes. If water is not anticipated behind seals, a water pipe will not be required. Section 75.335(c)(2) requires that if a water pipe is used a water trap must be installed on the outby side of the seal.

Question: If plastic pipe is allowable to satisfy corrosion resistant pipe, wouldn't a fire melt the pipe, thus reducing protection afforded the miners? Can combustible plastic pipe be used in seal construction? Would plastic piping satisfy this section?

Answer: Plastic pipe is not acceptable because it would be consumed in a fire.

Question: Under old seal plans, the order in which seals would be built was required. The new regulations don't address this. Could this affect miners underground due to the uncertainty of air changes that building seals causes?

Answer: The current regulations did not require a sealing sequence. A sequence however, was often included in
the sealing plans. If an air change caused by sealing is to be made that materially affects the health and safety of the miners then the change must be made with no one underground except those persons necessary to make the change.

Question: Do the timbers have to be an integral part of the seal to require coating? If timbers or cribs are placed against or in near proximity for support, are they also required to be coated?

Answer: As discussed in the preamble, if timbers are used to create seals, the timbers must be coated on all accessible surfaces. The rule does not, however, specify coated roof supports in the vicinity of the seals.

Question: Do single wall seals have to be completed before November 16, not just started?

Answer: If any portion of a seal is constructed after the effective date of the rule, the seal would have been "constructed" after the effective date. Therefore, any seal not completed by the effective date must comply with the new requirements.

Question: Will a 4" channel steel bolted to the floor in front of the seal be allowed instead of 4" hitch into floor?

Answer: Yes, if it can be established that the proposed construction method meets the strength requirement. An engineering review of such a proposal would be necessary to evaluate the request. The preamble refers to a method which may be approved in lieu of floor hitching.

Question: Has the district manager any authority to permit seals not as in 75.335 in hilltop mines?

Answer: Only if the proposed alternative seal construction method is capable of withstanding a load of 20 psig. Operators may submit proposals with engineering data or actual test results to the district manager.

Question: What kind of materials can be used to create a seal?
Answer: The materials listed in section 75.335 and the alternative materials specified in the approved ventilation plan if any such alternatives have been approved as provided by 75.335(a)(2).

Question: If bleeder system cannot be traveled in its entirety, is prior approval needed before the area is sealed?

Answer: No, if the seals are constructed in accordance with section 75.335, or the approved ventilation plan, and there is no change to the ventilation system that alters the main air current or any split of the main air current in a manner that could materially affect the safety and health of the miners. Also notice that the proposed seal locations are required on the mine map according to 75.372(b)(18).

Question: Will Omega Block seals be acceptable if approved in ventilation plan?

Answer: Yes, if constructed in a manner which meets the requirements of 75.335 and approved in the plan.

Question: Will MSHA be able to issue 8-inch seal permits?

Answer: No, 75.335 requires that seals be a minimum of 16 inches in thickness. Currently, no single wall seal tested meets the alternative construction requirements for strength.

Question: Does the Techseal have to be hitched into the floor and ribs?

Answer: No, it was tested without hitches and passed.

Question: What are the alternative seal construction methods which have been found to be acceptable?

Answer: There are two alternative seals that have passed the test: the Omega block seal, and the pumpable Tekfoam. Poured concrete will also be acceptable if adequately thick.
Question: How does operation under the option described in 75.340(a)(1) differ from the 75.1105?

Answer: In addition to either noncombustible enclosures or fire suppression, 75.340 provides three alternatives for the operation of electrical equipment. Section 75.340(a)(1) allows ventilating these electrical installations with intake air that is coursed into a return air course or to the surface and does not permit this air to be used to ventilate working places.

Question: What is the difference between option No. 2 and No. 3?

Answer: When using 75.340(a)(2), you must also comply with the requirements in 75.351 for atmospheric monitoring systems (AMS). Section 75.351 requires some of the following: 1) monitor for circuit continuity and sensor function, identify malfunctioning sensor at a surface location; 2) signal a designated surface location when a sensor malfunctions; 3) signal affected working section and surface when CO sensor reaches 5 ppm above established ambient and 4) activate alarms at the surface and working section when CO reaches 10 ppm or the optical density of smoke reaches 0.05.

Section 75.340(a)(3) requires sensors to monitor for heat and CO or smoke. The system would deenergize power, and activate automatic closing doors when either 1) temperature reaches 165 degrees F, or, 2) CO reaches 10 ppm or the optical density of smoke reaches 0.05 per meter.

Question: Can golf cart batteries be charged and the air not vented to return?

Answer: Section 75.340 applies to charging golf cart batteries. Remember that some CO sensors can be affected by the presence of hydrogen, so the sensor selection is important if 75.340(a)(2) is the option chosen. Battery charging stations cannot be monitored using hydrogen-sensitive sensors.

Question: Where is near? Some mines keep rectifiers 2 crosscuts out by loading point and some mines may keep it 8 crosscuts out by loading point.
Answer: Section transformers normally are near the loading point, which is the entrance to its primary escapeway. They are moved with the section and seldom are more than 2 crosscuts outby the loading point.

Question: Is there a reliable smoke sensor on the market?
Answer: Some smoke detectors have been used and tested by the Bureau of Mines. Availability is a changing factor.

Question: An operator elects to use AMS in lieu of venting prior to effective date of regulations. Will the operator be cited?
Answer: Under the old rule, this could only be done under a Petition for Modification. Until the effective date, a petition is required.

Question: What is required for a battery charger for scoop battery not removed from equipment.
Answer: Must be in a noncombustible structure or be equipped with fire suppression, and, be ventilated to a return or monitored in accordance with 75.340(a)(2) or (a)(3)

Question: In relation to electrical installations installed prior to effective date of law, will new requirements apply to the older permanent installations?
Answer: Yes, 75.340 contains no grandfathering clause and applies to all underground areas.

Question: Are battery charging stations included as an exception under 75.340(b)?
Answer: No.

Question: What is a noncombustible area? What are the requirements of a non-combustible area?
Answer: Section 75.301 "definitions" describes a structure or area that will continue to provide protection against flame spread for at least 1 hour when subjected to a fire test incorporating an ASTM E119-88 time/temperature heat input, or equivalent.
Question: What about battery charging stations in two entry mines?

Answer: The regulation applies to all mines. Section 75.380(f)(1) prohibits battery charging stations in primary escapeways developed after the effective date of the rule.

Question: What type of fire suppression is approved for battery charging stations?

Answer: A fire suppression system which meets the requirements of 75.340 and 75.1107-3 through 75.1107-16.

Question: If transformer air dumps into the beltline, can that belt air travel inby before dumping into the return or must it travel outby and dump into the return?

Answer: The air can travel in either direction provided that it is not used in the working place under 75.340(a)(1).

Question: If a transformer is vented to belt line with AMS and that air is then used at the face by belt air petition, is a second petition required (now it takes 75.326 and 75.1105 petition)?

Answer: Petitions for modification of 75.326 will remain in effect and 75.1105 petitions will be void. This installation, as described, could be accepted if 75.340(a) and 75.351(c) are met and the primary escapeway is protected in accordance with 75.380(f).

Question: Automatic airlock doors - will electrically actuated (hydraulic) doors be considered electrical installations when used as air locks if located in escapeway?

Answer: No.

Question: May longwall emulsion pumps be located in the intake escapeway within 500 feet of the face?

Answer: Emulsion pumps must meet 75.340(a) unless the pumps are permissible, or the pumps are located on or near the section and moved with the section.
Question: If you use an AMS to monitor electrical installations, do you still have to wall that installation up in a crosscut?

Answer: For the purposes of 75.340, paragraph (a) allows fire suppression in lieu of a noncombustible structure. However, 75.380 prohibits this equipment in primary escapeways which may necessitate a noncombustible structure vented by a separate regulated split.

Question: 75.340 and 75.344 - Do automatic doors require one detection method or two (i.e. temperature and/or CO)?

Answer: Two detection methods - either of which will deenergize the power and activate the doors when 1) the temperature reaches 165 degrees, or, 2) when CO or smoke optical density reaches the specified levels.

Question: If a pump "pumps" water to surface, does this make it a permanent pump?

Answer: The revised rule does not address permanent as applied to pumps, rather the rule addresses this equipment's installation and how it is to be ventilated.

Question: Define noncombustible area or structure. Are power centers in steel cases considered to be in a non-combustible structure?

Answer: Refer to the definition of noncombustible areas in 75.301. The steel enclosures of rectifiers and power centers which are dry-type or contain nonflammable liquid will normally meet the requirement.

Question: If a transformer has an intake split over the unit and is ventilated directly to a return, is it considered in the airway or considered on its own split?

Answer: This would depend upon the particular circumstances, such as its distance from the intake escapeway, and upon the air flow quantities.

Question: Where are self-closing doors to be located? Over intake opening?
Answer: The automatic closing doors should isolate the unit from the intake.

Question: Effective Date? Will existing electrical installations be "grandfathered"?

Answer: No grandfathering is provided by 75.340. However, several alternatives are available to comply with the standard.

Question: Will current policy remain in effect for charging stations on development and retreating sections if the batteries are not removed from the car for charging?

Answer: If the steel enclosure of the battery can meet the noncombustible requirement, then section 75.340(a)(1), (2), or (3) applies. If CO monitoring is selected, hydrogen sensitive sensors cannot be used.

Question: Diesel-powered pump on wheels that can be moved from one location to another in outby areas by men pulling it around. How are these types of installations to be set-up?

Answer: Section 75.340 is applicable. Also note that 75.380(f) prohibits diesel equipment in the primary escapeway except under certain conditions.

Question: Can you charge a battery underground when the fan is off and no one is underground?

Answer: No. All power underground must be cut off when fan if off.

Question: How small is a small portable pump? Is this in reference to the size that would require 2 or less workers to move by hand or the very small 1/3 - 1/2 HP 1" - 2" discharge sump pumps?

Answer: Small portable pumps are easily relocated without the aid of mechanized equipment, capable of being moved frequently, and installed in such a manner to facilitate such movement. See page 20889 of the preamble for the full discussion.
Question: An electrical installation underground is ventilated with intake air and dumped into the belt line and then dumped into the return at the regulator at the tailpiece on an exhaust system. Will this be acceptable? Belt air is going toward the section and is dumped at regulator at tailpiece. Dry-type transformers in power center.

Answer: It is acceptable provided that all 75.340 requirements are met. Also notice, however, that if the intake is a primary escapeway, 75.380 would also apply.

Question: How does this affect belt transformer boxes located in a neutral entry beside the belt if the mine is exhausting?

Answer: The installation must comply with 75.340.

Question: If a citation has already been issued on belt transformers not being ventilated directly into the return, what happens to the citation?

Answer: Existing installation will be required to comply with 75.340 beginning on the effective date. Districts will process any outstanding citations accordingly.

Question: Do belt boxes have to be on return split?

Answer: No, these boxes cannot be located in the return unless they are permissible. These boxes, if located in a belt entry, can be vented to return at the belt regulator.

Question: Will belt transformers need noncombustible room and fire suppression?

Answer: No. The final rule provides an alternative to locating the electrical installation in a noncombustible structure or area. Under this alternative, installations must be equipped with a fire-suppression system that meets the applicable requirements of 75.1107-3 through 75.1107-16. The final rule also requires one of three other measures to be used to protect miners from fire hazards that may result from electrical installations. See 75.340(a)(1), (a)(2), and (a)(3).
Question: If batteries are charged on a machine while it is parked (batteries on the machine), how is 75.1107-9 applied to a fire suppression system installed for the purpose of 75.340(a)?

Answer: The number of pounds of dry chemical will be determined based on the top surface area of the batteries and charging equipment, if these are the only hazardous locations on the machine.

Question: Is there still a difference between permanent or temporary installations or are all now considered permanent?

Answer: The final rule does not retain the proposed definition for "permanent electrical equipment."

Question: Does the standard 6 x 6 pump (10 HP) qualify as a "small portable pump"? Please note that this pump is commonly used throughout the industry to "dewater local swags or depressions", is skid mounted, and can be easily moved with equipment.

Answer: No. Preamble describes portable pump as a pump which is easily relocated without the aid of mechanical equipment.

Question: Track mounted manbuses being charged - are they required to be ventilated to the return?

Answer: Either to a return or in accordance with an alternative specified in section 75.340.

Question: Would this exclusion include battery chargers that are moved up with the power moves, i.e. scoop or un-a-hauler chargers?

Answer: No. The provisions of 75.340 must be complied with.

Question: Assuming that dry-type load centers that move with the section may remain in primary escapeways, may associated equipment such as rock-dusting equipment remain as well?

Answer: No, the rock dusting equipment could not be used except to maintain the primary escapeway, 75.380(f)(1)(i).
Question: Will each electrical installation (battery chargers, etc.) need to be vented to the return separately or may they all be vented to the return at one common point?

Answer: Could be at one point as long as air does not flow to the section if operated under Section 75.340(a)(1).

Question: Are we going to continue to accept transformer stations, etc., being vented indirectly to the return, such as at mines not using belt air?

Answer: Yes, as provided by Section 75.340(a)(1). Notice, however that direct venting to a return is specified at Section 75.344(b)(2) for compressors.

Question: If a belt transformer cannot be installed in a crosscut off the primary escapeway and a stopping erected to isolate it, how can a stopping isolate the primary escapeway anywhere?

Answer: The installation could be isolated between two permanent stoppings which are properly regulated and if the installation complies with Section 75.340.

Question: Does this require 2 sensors - one at the electrical installation and 1 downstream in the direction of airflow or is the one downstream all that's required?

Answer: At least one sensor is required to meet Section 75.340(a)(2).
75.341

Question: Shaft heaters (50 ppm) is not consistent with AMS ppm requirement (15 ppm).

Answer: The heater requirement is independent of AMS regulations and serves an entirely different purpose. When heaters are used, a carbon monoxide sensor is to be placed at the bottom of a shaft, slope or drift opening or a person designated by the operator shall take the measurements.

Question: Direct-fired intake air heater - Is this requirement the same for a non-flame heater as for an electrical heater and a hot water heater?

Answer: Section 75.341 only applies to direct-fired intake air heaters.

Question: Do heaters require inspection if no one is underground?

Answer: There is no exemption to the examination requirement.

Question: Is 75.341(f) for initial start-up or on every period over eight hours that the heaters are not running?

Answer: Every period.

Question: Will the use of direct fired intake air heaters have to be addressed in ventilation plans?

Answer: No, section 75.341 is a mandatory provision.
Question: Is a methane monitor required on a loading machine that loads coal from behind a continuous mining machine in a working place?

Answer: In this application, a methane monitor is not required on the loading machine. The continuous miner in the place would be required to have the methane monitor installed, since it would be closer to the face and extracting coal from its natural deposit.

Question: What about petitions for modification for using methane hand held detectors in lieu of methane monitors on a battery haulage tractor? Will petitions for modification be given in the future for hand held detectors on battery haulage tractors?

Answer: These petitions will remain in effect. Each petition application will be reviewed on a mine-by-mine basis in the future.

Question: Would a citation be issued if a methane monitor was not on the shearer or in an alternate location approved in the ventilation plan on or after November 16, 1992?

Answer: The rule becomes effective on November 16, 1992. If the required monitor is not on the shearer, or installed at an alternative location(s) approved through the ventilation plan, enforcement action will be taken.

Question: The methane monitor on the shearer - what face equipment will it be required to deenergize? I.e., the shearer only or the whole longwall system?

Answer: The methane monitor located on the shearer will be required to deenergize the shearer. Like the existing requirement, the monitor must deenergize the machine on which it is mounted when methane reaches 2.0 percent. If a monitor is located along the longwall face, it must deenergize the longwall face equipment including the shearer.

Question: Are two separate displays required for two sensors
attached to a methane monitor under 75.342 for longwalls?

Answer: No, the regulation does not require separate displays for each sensor attached to a methane monitor in this configuration. However, the system must give a warning signal if either sensor detects 1.0% methane (75.342(b)(1)). The warning signal device of the monitor must be visible to a person who can deenergize the equipment (75.342(b)(2)). The monitor must also automatically deenergize the equipment if either attached sensor detects 2.0% methane (75.342(c)(1)). Refer to 75.342 and the preamble for a complete discussion of the requirements.

Question: Section 75.342(a)(2) states alternate location or locations. If the sensor cannot be put on the shearer, can one sensor at an alternate location be satisfactory?

Answer: Section 75.342(a)(2) requires a sensing device for methane monitors to be installed at the return air end of the longwall face. An additional sensing device also must be installed on the longwall shearing machine downwind and as close to the cutting head as practicable. The district manager may approve an alternate location(s), other than the shearer in the ventilation plan. Existing shearers not equipped with monitors, may not be constructed to accept such installation; therefore, an alternate location(s) will be accepted until future shearers can be so equipped.

Question: What should operators do if methane monitors for shearers are not available by November 16th?

Answer: Apply to the district manager for an alternative location approval prior to November 16, 1992. The district manager may approve an alternate location other than the shearer, in the ventilation plan.

Question: Reference to methane sensors on longwall face. I am told that this is required by November 16. I was under the impression that we had 6 months to comply. Please clarify.

Answer: The effective date of the new standard is November 16, 1992, at which time, in addition to the methane sensing device installed at the tailgate, a sensing device must
be installed on the longwall shearing machine, or at an alternative location approved in the ventilation plan.

Question: Please give examples of alternate locations for methane monitors on longwall (alternate to on the shearer).

Answer: An alternative location or locations, such as at midface or at one-third lengths along the face, may be approved in the ventilation plan until future shearsers can be equipped, since existing shearsers not equipped with monitors may not be constructed to accept such installation. Other configurations are possible.

Question: Are methane sensing devices actually going to be required on the shearer? If so, can the warning signal be sent down the trailing cable to provide information to the headgate operator?

Answer: The monitor itself can be on the shearer - then the methane indicator would be on the shearer. The power cut off could then be at the shearer or the headgate. If a sensor only is on the shearer, the methane readout would then be at the headgate. Power disconnect can be at the shearer or headgate.

Question: If the methane monitor automatically deenergizes the longwall shearer, can the conveyor chain and tail motor operate during this time? Also, lights?

Answer: Methane monitors installed on shearing machines must, at a minimum, deenergize the shearing machine. Methane monitors installed along the face must deenergize the entire face.

Question: What is "not operating properly" for methane a monitor?

Answer: This means that the methane monitor has an electrical or mechanical malfunction. For example, when the test button is pressed and it does not deenergize the machine.

Question: What about mobile bridge carriers inby last open break and face clean up scoops regarding the requirements for a methane monitor?

Answer: There is no change from existing regulations. The
equipment not used to extract or load coal from the face will not be required to have a methane monitor, including bridge conveyors or scoops.

Question: Does the scoop used for cleanup in the working place require a methane monitor?

Answer:

Question: Are scoops used only to push up coal on miner sections required to have methane monitor?

Answer:

Question: Are battery scoops used on working sections specifically for cleanup and hauling supplies required to have methane monitors installed?

Answer: No.

Question: Section 75.342(a)(4) - Do machine mounted methane monitors need to be zeroed with dry air or can you use mine air for zero and calibration?

Answer: The current calibration procedure using a known methane mixture will suffice. Monitors should not be zeroed in methane laden mine air.

Question: If you have a longwall shearer with a methane monitor on it, will this be accepted as a methane check at the location when the shearer is cutting coal?

Answer: No. The 20 minute check on the longwall face will also be required.

Question: The methane monitor on the continuous miner reads 1.6% and the 20 minute gas check, taken 5 minutes earlier, was 0.9%. Do we react, as per 75.323(b)(2), from the methane monitor reading?

Answer:

Question: What type of maintenance program for monitors is there?
Question: Do records of monitors have to be made?
Answer: No.

Question: Do problems with monitors have to be recorded?
Answer: No.

Question: Can the shearer continue to operate when methane is detected between 1.0% and 1.9%?
Answer: No, see 75.323(b)(1) for actions required at 1.0% methane, and 75.323(b)(2) for the required actions if methane reaches 1.5%.

Question: Where on the return end of the longwall face is the sensor required to be located?
Answer: At a suitable location at the return end of the longwall face to monitor the air leaving the longwall face.

Question: Does the final rule require the operator to adopt a definite maintenance program designed to keep methane monitors operative, as did old regulations?
Answer: Monitors must be maintained permissible and in proper operating condition at all times.

Question: Will monitors on continuous mining machines and shearers be set to de-energize the machine at 1.0%?
Answer: No, monitors must give warning at 1.0%, deenergize at 2.0% methane.
Question: Underground shops--If equipped with fire suppression, does entire shop area need to be protected? Reference to 75.1107-3 to 1107-16. These standards address fire suppression requirements for equipment and not hazardous rooms or areas, per se.

Answer: Fire suppression devices are required to protect equipment that are potential fire sources. When a mine has an underground shop, the electrical equipment can be protected under 75.1107-3 through 75.1107-16. If fire suppression systems are not used, the shop must be enclosed in a noncombustible structure or area.

Question: What does "be enclosed in a noncombustible structure or area" mean?

Answer: An enclosure or area that will continue to provide protection against flame spread for at least one hour as described in 75.301.

Question: Can doors be open to let equipment in and out?

Answer:

Question: Can the doors be manually operated?

Answer:

Question: Does concrete sprayed areas comply for underground shop areas for noncombustible structure? Concrete meaning - concrete, mandoseal, gunite.

Answer: If it will continue to provide protection against flame spread for at least 1 hour when subjected to a fire test incorporating an ASTM E119-88 time/temperature heat input, or equivalent.

Question: What is the definition of an underground shop?

Answer: A specific location for work such as cutting, welding, equipment repair, or other maintenance is done. A tool shed with a vice for working on hydraulic hose or
making cable splices (repairs) would not be considered a shop.

Question: When cutting and welding is conducted on a scoop in a crosscut, does the air used to ventilate this crosscut have to be directed to the return?

Answer: The requirements for cutting and welding have to be followed. This example is not considered a shop.

Question: Would existing shops which are not coursed directly to the return be required to be moved?

Answer: The air used to ventilate this area must be vented directly to the return. If the shop is not adjacent to the return, ventilation can be accomplished through a large pipe or overcast if the pressure drop is adequate to course a sufficient air quantity to the return.

Question: Underground shops, does this pertain to underground warehouses?

Answer: No. The provisions that apply to underground shops are necessary due to the nature of activities that take place in shops, such as cutting and welding, and due to materials in these areas such as solvents, oils, and grease.

Question: How much air will you have to have to ventilate underground shops?

Answer: There is no specified quantity. The requirement is that the shop must be adequately ventilated.

Question: Are shops preshift and on-shift examined?

Answer: If persons are assigned to work in the shop, then the shop must be preshift examined. If no work had been assigned before the beginning of the shift, then a supplemental examination would be required prior to miners entering the area.
Note: Section 75.344(a)(1) will be administratively stayed and the applicable portion of the old 75.1105 will remain in effect redesignated as 75.345 for compressor stations.

Question: What about compressors greater than 5 hp used to roof bolt?
Answer: The requirements of 75.344 apply.

Question: Maintenance of compressors - where will maintenance issues concerning compressors be addressed, such as filters, maintenance of safety devices?
Answer: The requirements of 75.512 and 75.1725 are applicable for electrical and mechanical upkeep of compressors.

Question: Where can a compressor be located if not in the main escapeway? Belt? Return?
Answer: The compressor station can be in the belt entry, or in a split off the escapeway directed to the return if the installation satisfies the other requirements of 75.344. The compressor station could be in a noncombustible enclosure, such as between two permanent stoppings with a properly prepared interior, ventilated by a split off the intake escapeway with sufficient velocity and quantity of air to prevent any possible smoke rollback.

Question: A 10 hp compressor that is mounted on a service center used to drive impact tool etc., the service center is mounted on skids and is pulled in and out with the unit as it advances and retreats. Used only when attended. Exempt?
Answer: Compressors that are components of equipment such as locomotives and rock dusting machines, and compressors of less than 5 hp, are exempt. If the compressor described is a component of the service unit, it would be exempted. Large compressors, which are intended to operate as stand-alone units and which are too large to be considered components, will not be considered exempt as components.
Question: Do the doors that are required by this section have to meet any ASTM tests? If there are no tests for these doors, what doors meet the rule?

Answer: The doors must meet the requirements set out in 75.333 (ventilation controls) which states in part: Doors other than personnel doors constructed after November 15, 1992, that are used in lieu of permanent stoppings (this door will replace a part of a permanent stopping) will be made of noncombustible material or coated on all accessible surface with flame-retardant material having a flame-spread index of 25 or less, as tested under ASTM E162-87. The preamble states the doors automatically close to contain the fire and prevent harmful products of combustion from reaching miners.

Question: Can a small compressor with less than 5 horsepower be used without meeting any approval such as one sold at department stores?

Answer: Compressors less than 5 horsepower are not covered by 75.344. Other Part 75 requirements including electrical provisions still apply.

Question: It was given as an answer to one question that compressors in a longwall train need to be housed and ventilated and yet an answer to another question said if it was 5 horsepower or less, or was an integral component part of another unit, it would not need to be housed or vented to the return. Define integral part of another unit or clarify the requirements on the compressor in the train of equipment in a longwall unit.

Answer: A compressor in a train of equipment in a longwall unit is not an integral part of the longwall equipment. These compressors are like any track-mounted ones. They are used to power other equipment for roof bolting, breaking rock, etc.

Question: Is it a requirement that the automatic fire suppression have the capability of shutting down equipment in case of fire?

Answer: No, not for compressors. The automatic shut-down provision appears in 75.340(a)(3) for electrical installations.
Question: Is there any size limit on compressors that are "components of equipment such as locomotives and rock dusting machines" that would remove the exception provision?

Answer: No. Must be a component part of that machine.

Question: ...seen by a person designated by the operator. Will a TV camera monitored 24 hours per day, seven days per week, be accepted to comply?

Answer: No, as discussed in the preamble, the purpose of requiring a designated person to be within sight of the compressor (in lieu of 75.344(b)(2)) is to enable action to be taken quickly to minimize hazards to miners if a compressor fire occurs.

Question: Are compressors that are pulled to operate rock dusters, but are not built into the machine, considered a component part of the machine and allowed in the escapeway?

Answer: Yes, if a component. However, if the compressor cannot be considered a component, it would not meet the 75.344 exception. Also, mobile equipment used in the primary escapeway to maintain the escapeway must meet 75.380(f)(2).

Question: Do surface air compressors that pipe compressed air underground require any provisions of 75.344?

Answer: No, they are surface compressors and this rule applies only to underground areas.

Question: Would the metal housing of compressor and diesel generators be acceptable for the requirements of noncombustible structure?

Answer:
Question: Does the wording "shall contain less than 1.0 volume per centum" in 75.350 conflict with 75.323(b)(1) which requires action to be taken at 1.0 percent methane?

Answer: Section 75.323(b)(1) requires specific steps to be taken to reduce the methane to below 1.0%. Section 75.323(b)(1) for this reason would be the section to cite if an operator, upon becoming aware of the methane, failed to undertake the actions required to reduce the methane to less than 1.0%. Both regulations, however, require less than 1.0% methane.

Question: Are existing two entry development sections exempt from 75.350 and 75.352?

Answer: Only if they are currently covered by a petition for modification of the old 75.326. These will remain in effect without change.

Question: Will approved petitions be resubmitted simply to change any references in the text (to old designation 75.326)?

Answer: Current petitions granted under the old 75.326 will not require resubmission.

Question: It appears that several regulations are being adjusted to allow for ventilating with belt air. Is this statement correct?

Answer: No. Section 75.350 was derived from the old 75.326 and is unchanged.

Question: How do you stop the spread of a fire with the amount of air you allow in neutral and belt entries?

Answer: Section 75.350 was derived directly from the old 75.326. As a result, the required ventilation of belt conveyor entries has not changed. Belt conveyor entries must be adequately ventilated.

Question: Can beltlines be used as an intake air course?
Answer: Belt haulage entries must be ventilate by intake air; therefore, they are intake air courses. However, air from the belt haulage entries can only be used to ventilate active working places if a 101(c) petition for modification has been granted.
Question: Are there any atmospheric monitoring systems (AMS) that are intrinsically safe? Does intrinsically safe have to be approved?

Answer: Of the systems currently installed in underground coal mines, no AMS is completely intrinsically safe. Certain components of the AMS can be intrinsically safe if installed through barriers that limit the operating voltage and/or current. Intrinsically safe equipment must be accepted as such by the MSHA Approval and Certification Center.

Question: What section of the law should be cited when an operator is monitoring a battery charging station with a CO sensor instead of a smoke detector?

Answer: Cite 75.340(a)(2) unless information is provided that shows hydrogen gas that is emitted when charging batteries is not an interferant for that particular CO sensor.

Question: How is the ambient level of CO to be determined? Is it the operators responsibility or MSHA's?

Answer: The operator is required to outline the procedure used to determine the ambient level of CO as specified in 75.371(hh). The procedure is subject to approval in the ventilation plan.

Question: Is a hand-held CO detector suitable for determining the ambient level? How often does the ambient have to be checked?

Answer: The use of a hand-held detector is one possible method. Using the existing sensors is another method. Having air samples analyzed is a more accurate method. The ambient level should be reviewed as it is part of the ventilation plan.

Question: Some areas take into account the use of diesels when setting an ambient level of CO. Will this continue?

Answer: Diesels can be taken into account when setting the
ambient if the diesel contaminant is present in the area of the CO monitors.

Question: How does this affect petitions for modification (PFM) of the current 75.1105?

Answer: Current petitions of 75.1105 will be void. These installations will now be covered and enforced through the mandatory standards.

Question: Please describe a smoke detector functional test.

Answer: Smoke detectors, unlike CO sensors, are either in alarm or not in alarm. They do not have different levels of detection although they do have different sensitivity levels. A functional test is performed by applying smoke, either canned or from a smoke tube, to the sensing head and observing whether the detector goes into an alarm mode.

Question: Does section 75.351(b)(2)(i) require the use of two methane sensors if auxiliary fans are used on the working section - one outby the fan and one opposite the section loading point?

Answer: No, one sensor is required for this application. The sensor would be installed opposite the loading point if the fan discharge is inby the loading point. The sensor would be installed outby the fan discharge if the discharge was outby the loading point. One additional sensor would still be required under 75.351(b)(2)(ii).

Question: Are rooms that were mined on the return side of an advancing unit considered "worked-out areas" for the purpose of 75.351(b)(2)(ii)?

Answer: No, these rooms would not be a "worked-out area" until the entire panel was completed.

Question: In regard to withdrawal and evacuation of miners, what specific requirements or action are to be conducted?

Answer: This is addressed in the fire fighting and evacuation plan for the mine.
Question: How long is the operator required to maintain printout records? For instance, how long the AMS was inoperative, what areas were affected and what corrective actions the operator took?

Answer: The only record required is the record of the alarm, the date, time, type of sensor, and the reason for the activation with the maximum concentration at the sensor. This record must be kept for one year at a surface location at the mine.

Question: When an AMS malfunctions, when does it have to be repaired?

Answer: The AMS cannot be used to monitor the functions permitted unless it works. There is no time limit set on repairing the system. If the AMS fails, the requirements for operation without AMS become immediately effective and is the same as for mines without AMS.

Question: How come the printouts on monitoring systems are not available to miners representatives?

Answer: Section 75.351(i) requires that records be available for representatives of the Secretary and representatives of miners. Paragraph (h) specifies what records must be maintained.

Question: What is the reason to have ppm set at 5 instead of 10 or 15?

Answer: Research and experience indicates that alert and alarm levels of 5 ppm and 10 ppm, respectively, above mine ambient CO are effective.

Question: Will the quarterly test of the CO system be required?

Answer: Test and calibration are required every 31 days.

Question: Can the surface location designated by the operator to receive information from the AMS be away from the mine site and, if so, how will the information from the AMS get to the people underground?

Answer: Yes. Notice, however, that the system must signal a
designated surface location at the mine, and the working section according to 75.351(a)(2) and (a)(3). Paragraph (a)(4) is similar.

Question: What is required of the persons in the affected areas when a signal or alarm is received for elevated carbon monoxide? Stay there, evacuate, or what? Why isn't there a record of action taken when an alarm or signal is received?

Answer: The appropriate action to be taken when a signal is received should be stipulated in the approved Program of Instruction, fire fighting and evacuation plan, section 75.1101-23. If a signal device or alarm is activated, a record shall be made of the date, time, type of sensor, and the reason for its activation.

Question: Will AMS take the place of hand-held monitoring devices?

Answer: The only time that the AMS takes the place of hand-held devices is the 4-hour methane check in the immediate return.

Question: Are records required for tests and calibration?

Answer: In the case of the 31-day test and calibration of carbon monoxide sensors, each sensor must be calibrated with a known concentration of carbon monoxide sufficient to activate an alarm. Thus, a record would be generated.

Question: You stated current levels of CO will remain in effect if a petition for modification is in place for 75.326. You also mentioned 75.1103 petitions will be eliminated. If a company has a 75.1103 petition, will the new standard for the alarm levels be dropped from 10 ppm to 5 ppm, or will the current approved CO standard stay in effect?

Answer: Section 75.1105 petitions will be eliminated, not petitions for section 75.1103. The requirements for the 75.326 petitions are not affected.

Question: If an AMS system is used, does law require a daily visual examination?
Answer: Section 75.351 does not require daily visual examinations.

Question: Is voice communication between surface manned position and working section by telephone acceptable?

Answer: No, not in lieu of underground alert and alarm. Two-way communication is required between working sections and the surface location by 75.351(d).

Question: Is a signal required to be audible or visual for underground sections?

Answer: Visual and/or audible signals are acceptable.

Question: You stated batteries need not be disconnected under fan stoppage, but power must be pulled. Batteries provide power to all circuits when power is pulled - does this provide a danger to miners?

Answer: If switches providing mine system power, such as to a telephone system, are pulled, the regulations are satisfied. If batteries are used, they need not be removed.

Question: How reliable are the AMS systems, and have there been any standards set on the AMS, including if the AMS is not working?

Answer: Technology has improved to where these systems are very reliable. Section 75.351 lists the requirements for AMS systems. Should the AMS fail, the mine immediately reverts to the requirements for a non-AMS mine until the system is fully restored.

Question: Is there any future plan for MSHA to have guidelines for the evaluation of an AMS on an intrinsic safety basis?

Answer: The manufacturer must get the system accepted as intrinsically safe through Approval and Certification Center in Tridelphia, WV.

Question: Why since TLV is 50 ppm - levels are set at 5 and 10 ppm for alarm when ambient is generally only 4 to 6 ppm?
Answer: TLV's apply to health. Alert and alarms levels are safety parameters for early fire detection and warning.

Question: Who will monitor the AMS and will it be monitored around the clock as long as there is a miner underground?

Answer: Section 75.351(d)(1) specifies that a person designated by the operator must be at a surface location when anyone is underground. The preamble indicates that the surface location must be at the mine.

Question: When the AMS is faulty at times, where does this put our fireboss examinations?

Answer: The use of AMS has no effect on examinations aside from the 4-hour section return methane tests required by 75.362(f).

Question: Are shift updates on the AMS going to be printed out and kept for at least one year. If not, by what means will the causes and effects of gob heatings, and/or fires be determined?

Answer: Under 75.351, records of alerts and alarms must be maintained for one year. Section 75.351 applies only to AMS installed for 75.323, 75.340 and 75.362. Other areas may be monitored as appropriate.

Question: How will an AMS with one sensor in a section return check for methane in various cavities in that return?

Answer: The methane monitor in the return will continuously monitor for methane. Additional sensors could be used.

Question: We seem to be taking for granted that the AMS is 100% safe. How can miners determine that the AMS system is properly maintained?

Answer: The operator is responsible for maintaining the system at all times. Should an AMS system fail, the operator is responsible for complying with the applicable standards (75.323, 75.340, or 75.362) in exactly the same manner as if the AMS had never been installed.
Question: If the AMS breaks down 2 hours after the shift starts, how long is it before the AMS must be fixed? When a monitor malfunctions, what is the time limit to fix it?

Answer: There are no requirements for repairing the AMS. However, the AMS cannot be used to perform the functions intended. Whenever the AMS is inoperative the operator must comply with the regulations in exactly the same manner as a mine without AMS.

Question: If a monitor malfunctions, why doesn't the person checking it have to carry a CO detector since that's what the monitor is for?

Answer: If at any time the AMS becomes inoperative, the operator must comply with the applicable sections (75.340, 75.323, or 75.362) exactly as if AMS had never been installed.

Question: Is there a requirement to ensure 27,000 cfm and continuous dusting is maintained (such as periodic testing) when operating at 1.5% methane with an AMS?

Answer: The operator is at all times responsible for compliance. On-shift examinations are required.

Question: Where is the requirement for locations of the two AMS devices in the return across from loading point?

Answer: See 75.351(b)(2)(i) and (ii) if used under 75.323.

Question: Since the rule says areas and not mine for ambient, does this mean that a mine may have several ambients? How far do you expect that ambients will range at a specific mine? Will diesel mine ambient be set as high as 10 and 15 ppm?

Answer: The ambient CO levels along with the method for determining the ambient level, in all areas where CO sensors are installed, must be approved in the ventilation plan. Diesels equipment emissions may be considered in establishing an ambient level. It is possible that a mine, having variable conditions within the mine, could have ambient levels which are not identical for each monitored area of the mine. These cases will be considered individually through the ventilation plan review process.
Question: AMS has no performance standards, no requirements for evacuation (for men). Does the final rule specify what action will be taken when AMS alert and alarm levels are reached? What are those actions?

Answer: The actions to be undertaken are specified in 75.323 for methane levels, and in the 75.1101-23 plan for CO alert and alarm levels.

Question: How will MSHA's inspectors determine that the operators are complying with Part 75.351(f)?

Answer: Section 75.351(h) requires a record to be maintained when an alarm is activated. It should be noted that 75.351(f)(1) requires that sensors be calibrated with a known concentration of carbon monoxide and air sufficient to activate an alarm. This will cause a record to be generated.
Question: Would a belt installed with air traveling in an outby direction be considered to be in a return air course?

Answer: If the air traveling in the belt entry did not ventilate a working section or a worked-out area, or mix with other return air it would not be considered a return air course. See 75.301 for the definition of return air.

Question: Can return air be used to ventilate belts?

Answer: No.

Question: Did the Agency intend to eliminate the grandfathering of pre-1970 mines?

Answer: Yes.

Question: If no belts are permitted in the return air course - does this refer to permanent belt installations only, or does this include the use of LoLo belt.

Answer: LoLo belt may be used anywhere inby permanent stoppings.
Question: Are working faces from which coal will not be extracted in the next work shift (or other work such as timbering or drilling is not scheduled) subject to on-shift or preshift examination? Are those locations intended to be covered by 75.361?

Answer: Idle sections where no one is scheduled to work need not be preshift examined. All working places on sections where persons are scheduled to work need preshift examinations. The supplemental examination requirements are that an idle section would be examined within 3 hours prior to anyone, except for the certified examiner, entering the idle section.

Question: Intake air passes a seal which is not used to ventilate a working section, but is used to ventilate an area where persons are going to be working. Does the seal need a preshift examination?

Answer: No, however, seals along intake air courses where this air is used to ventilate a working section where anyone is scheduled to work during the oncoming shift must be examined as per 75.360(b)(5).

Question: Does this require a preshift examination of all seals and approaches to abandoned areas if the air passing these areas is not used for intake air purposes?

Answer: No. The term "abandoned area" is no longer used and the term "worked-out area" is used in the new regulations.

Question: Was the elimination of the requirement of old 75.303(a), that preshifts be conducted in travelways, to provide no preshift of new longwall travelways?

Answer: An entirely new section, 75.384, specifies requirements for a tailgate side travelway for longwalls where both required escapeways have been designated at the headgate side. This tailgate travelway is not required to be preshift examined by the new regulations, nor was such examination required under the old standards unless it is the route of travel for miners to the section.
Question: Do idle sections have to be preshifted in a mine where there is a producing section?

Answer: No.

Question: What does examination of unattended diesel equipment mean (examples of this type of equipment, please)?

Answer: Section 75.360(b)(7) requires the preshift examination to be performed at locations where unattended diesel equipment, such as a compressor, is to be operated.

Question: Are areas where "deadwork" such as crib building is performed to be pre-shifted?

Answer: Yes, anywhere persons are scheduled to work or travel during the oncoming shift.

Question: Preshift examination of approaches to worked-out area along intake air courses. If main intake air passes 15 old panels that have been punched out to surface (blowing fan), and this air course is three miles long and the air passing these old panels is used to ventilate a section inby, do I have to preshift this entire area? Does this apply to areas developed prior to the effective date?

Answer: If air from the intake air course is used to ventilate worked-out areas, the approaches to the worked-out areas must be preshifted at the split points, or at the inby-most split point if multiple opening to the worked-out area are in close proximity. Depending on the particular circumstances where multiple panels exist, an examination would be necessary at the inby split point of each panel.

Question: How does the minimum last open crosscut air quantity specified in 75.325 relate to the examinations required for 75.360(c)(1) and 75.362(c)(1)? Where must the 9,000 cfm minimum last open crosscut quantity be maintained during room development or in non-standard mining systems? Does this rule require the use of permanent stoppings in all room developments? If temporary stoppings can be used in room developments, where are examinations to be conducted?
Answer: Requiring a minimum of 9,000 cfm at the last open crosscut of each set of entries or rooms is effectively unchanged by 75.325(b). During the normal development of entries, or during normal room development in excess of 600 feet, the location for the required 9,000 cfm minimum is in the last open crosscut in the line of pillars containing the permanent stoppings separating the intake and return air courses. Similarly, during common room development performed to distances of 600, or less, feet on temporary stoppings as provided by 75.333(b)(1), the location for the required 9,000 cfm minimum is at the last open crosscut in the line of pillars containing the temporary stoppings which separate intake and return air courses. In unusual or hybrid room development systems where neither of the above are directly applicable, a suitable location for measurement of the 9,000 cfm minimum should be established in the mine ventilation plan under 75.371(f). Section 75.325(b) does not require that previously accepted development systems be abandoned, does not require new or additional ventilation controls, and does not require additional or duplicative locations where 9,000 cfm must be maintained.

Sections 75.360(c)(1) and 75.362(c)(1) require the examiner to determine the quantity of air in the last open crosscut. During normal entry development or during development of rooms in excess of 600 feet, the last open crosscut in the line of pillars containing the permanent stoppings is specified. Similarly, during common room development of 600 feet, or less, where temporary stoppings are used in place of permanent stoppings as provided by 75.333(b)(1), the examination location specified by the two standards is the last open crosscut in the line of pillars containing the temporary stoppings. Sections 75.360(c)(1) and 75.362(c)(1) cannot be used to require additional permanent stopping lines, or to require permanent rather than temporary stoppings in rooms developed up to 600 feet. Section 75.333(b) is the applicable standard and provides that temporary stoppings may be employed in room developments of 600 or less feet. Where hybrid or unusual room development systems are used or where confusion may exist regarding the examination location, the mine ventilation plan may specify a location under 75.371(f).
Question: Do you still have to preshift travelways?

Answer: Roadways, track haulageways, and other areas where persons are scheduled to work or travel during the oncoming shift are required to be preshifted.

Question: Can air which has traveled through a set of rooms on the intake side of a section be used to ventilate the active face areas of the section?

Answer: Yes. Section 75.360(b)(6) requires a preshift examination in entries and rooms driven more than 20 feet off an intake air course without a crosscut or more than 2 crosscuts off an intake air course without permanent ventilation controls where intake air passes through or by these entries or rooms to a working section where anyone is scheduled to work during the oncoming shift.

Question: If we have a panel driven off of the intake for 6 breaks with permanent ventilation controls installed, do we need to preshift the faces of this panel if the air goes around it to the working section?

Answer: No, only a weekly examination is required in this case because this would be a continuation of the intake aircourse.

Question: Where temporary ventilation controls are used, will intake room necks deeper than 20' without a crosscut, or entries over two crosscuts deep, mined prior to the effective date have to be preshifted under 75.360?

Answer: Yes, the time of development has no effect and the standard applies mine-wide.
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Question: Is a preshift examination required in a dead-ended entry or room over 20 feet in depth if a permanent ventilation control has been installed parallel to the centerline of the entry or room? Where crosscuts are included, what is the relationship between the number of crosscuts and the types of ventilation controls?

Answer: Section 75.360(b)(6) requires the following:

Entry or room developed off of an intake without a crosscut through or by which intake air passes and is used at a working section where anyone is scheduled to work during the oncoming shift.

<table>
<thead>
<tr>
<th>20 feet or less</th>
<th>With or without temporary ventilation controls</th>
<th>No preshift required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 20 feet</td>
<td>With temporary ventilation controls installed</td>
<td>Preshift required</td>
</tr>
<tr>
<td>Over 20 feet</td>
<td>With permanent ventilation controls</td>
<td>No preshift required</td>
</tr>
</tbody>
</table>

Entries or rooms, incorporating crosscuts, developed off of an intake through or by which intake air passes and is used at a working section where anyone is scheduled to work during the oncoming shift.

<table>
<thead>
<tr>
<th>2 or less crosscuts</th>
<th>Temporary or permanent ventilation controls</th>
<th>No preshift required</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than 2 crosscuts</td>
<td>Temporary ventilation controls</td>
<td>Preshift required</td>
</tr>
<tr>
<td>More than 2 crosscuts</td>
<td>Permanent ventilation controls</td>
<td>No preshift required</td>
</tr>
</tbody>
</table>
Question: If the company makes a preshift and an on-shift of the belt at the same time, does a record have to be made?

Answer: Records must be made of the methane tests and air measurement results at the locations where the examinations are required by the rule. Both sections 75.360 and 75.362 requires a record of hazardous conditions.

Question: Do belt lines, not used for transportation of miners, need to be preshifted?

Answer: No, unless persons are scheduled to work or travel in this area during the oncoming shift. However, 75.362(b) requires an examination during each shift that coal is produced where a belt conveyor is operated. This examination may be conducted during a preshift for the oncoming shift.

Question: On belt line examinations which requires an on-shift and preshift to be done, the mine has several miles of belt and the on-shift takes all shift to walk. Will that take care of the preshift (three hours) preceding the next shift?

Answer: No. Preshift examinations must be conducted within three hours prior to the start of the next shift. On-shift examinations can take all shift.

Question: Can a belt examiner make the belt line for other miners to work in that area?

Answer: Not unless certified to conduct preshift examinations.

Question: If a belt examination is conducted during the last 3 hours of the day shift, will this exam suffice for the preshift for the evening shift?

Answer: Yes, if the examiner is certified to conduct preshift examinations.

Question: If the mine has been idle without anyone in the mine, can a certified person enter the mine, energize the electrical equipment and ride throughout the mine conducting preshift examinations? What about battery or diesel powered equipment?
Answer: The regulations do not prohibit this unless an unintentional fan stoppage has occurred.

Question: Where do we measure the quantity of air reaching a longwall face?

Answer: Section 75.360(c)(2) specifies that the examiner shall determine the quantity of air on a longwall in the intake entry or entries at the intake end of the longwall face immediately outby the face. Also, the examiner must determine the velocity of air at each end of the face at the locations specified in the approved ventilation plan.

Question: What is the established definition of mechanized equipment being installed or removed:
-Section
-Outby Area
-Underground Shop
-Belt Line
-Headdrive Area
-Other Underground Areas

Answer: Areas where mechanized mining equipment is being installed or removed means the area of the working section.

Question: What is considered "travel" during the oncoming shifts?

Answer: The area of a mine where a person is scheduled to pass through, either on foot or on a piece of equipment.

Question: Define "approaches to worked-out areas."

Answer: Worked-out areas are defined in 75.301. Approaches are abutments or openings.

Question: Are preshift examinations required for planned or unplanned extensions of shifts into the next shift?

Answer: No, unless there is an oncoming shift.

Question: How long after ventilation has been restored before a preshift examiner can enter the mine to do the examination?
Answer: There are no legal requirements as to when a preshift examiner can enter the mine after ventilation has been restored to do the examination.

Question: Is this change going to prevent employees on the oncoming shift from going underground early?

Answer: No. The requirements are the same - the exam must be made and record completed on the surface before miners go underground.

Question: If a mine runs coal around the clock, how many preshift examinations must be required?

Answer: Exactly as before, one for each shift.

Question: Can you make an on-shift and preshift at the same time with extended shifts?

Answer: Yes

Question: If section crews change out at the face, when does the preshift inspection have to be done?

Answer: Within 3 hours preceding the beginning of each shift

Question: Within 3 hour preceding the beginning of any shift and before anyone on the oncoming shift enters any underground area...... Does this mean that preshift examinations could be up to 8, 9, 10, 11, and 12 hours apart depending on the length of shifts?

Answer: The preshift examination is good for the entire shift, even if the shift is longer than 8 hours. The preshift is to ensure hazards do not exist before miners enter underground work areas. During the shift, the on-shift examinations ensure that hazardous conditions are discovered and corrected immediately.

Question: Where is corrective action required for hazards found on the preshift examination?

Answer: Hazardous conditions must be posted with a conspicuous danger sign where anyone entering the area would pass. Only persons designated to correct or evaluate the
condition may enter this posted area. See 75.360(e).
Such hazardous conditions would be corrected on-shift.
Section 75.362(a)(2) requires that hazardous conditions
be corrected immediately.

Question: What would suffice as a conspicuous danger sign, when
signs are not immediately available or do not address
the specific hazard?

Answer: Section 76.360(e) requires that hazardous conditions
found shall be posted with a conspicuous danger sign.
MSHA can accept any sign that miners can see which
would prevent them from entering an area where the
hazard exists.

Question: Can one entry of a five entry section be dangered-off
for a condition or does corrective action have to be
taken immediately before any other work started?

Answer: It would depend upon the nature of the conditions.

Question: Is a mine examiner required to examine for violations
of mandatory health or safety standards under these
final rules?

Answer: The person conducting the preshift examination must
examine for hazardous conditions, test for methane and
oxygen deficiency, and determine if the air is moving
in its proper direction. Most "hazards" are violations
of mandatory standards. The examiner should be
concerned with the type of hazards that threaten the
safety of miners, such as methane accumulations, oxygen
deficiency, loose roof and ribs, damaged or improperly
installed ventilation controls on the section,
dangerous accumulations of loose coal or coal dust,
rock-dusting not applied in required quantities,
electrical hazards from trolley wires, fire hazards
from damaged or improperly operating belt conveyors, or
other obvious fire hazards. The preshift examiner will
not operate machinery to examine such items as brakes
and lights, although those are definitely hazards, and
these type defects will be promptly corrected through
compliance with other provisions of the standards.
Requiring the preshift examiner to look for all
violations could distract the examiner from the more
important aspects of the examination.
Question: Where is the oxygen deficiency test required to be made, and with what instrument, flame safety lamp or detector?

Answer: The person conducting the preshift examinations shall examine for hazardous conditions and test for methane and oxygen deficiency where persons work or travel. The on-shift requirement is the same as preshift examinations.

Through November 15, 1995, a permissible flame safety lamp or an oxygen detector may be used to make the test for oxygen deficiency required by the regulations. After November 15, 1995, an oxygen detector approved by MSHA must be used for such test, the permissible flame safety lamp may only be used as a supplementary testing device.

Question: Does the final rule require that examiner notify the mine operator when he discovers a hazards?

Answer: Post the area with a conspicuous danger sign and record it in a book provided for that purpose.

Question: Are we doing away with the state certification program for belt examiner?

Answer: No, the definition of a certified person in section 75.2 has not changed.

Question: Does the law not require all areas to be preshifted prior to entry by a noncertified pumper?

Answer: After November 15, 1992, these examinations can only be made by a certified person designated by the operator to perform the preshift examination. Any area where noncertified pumpmen will work or travel must be preshift examined.

Question: If a pumper is certified, does a preshift have to be conducted?

Answer: Yes - but if the pumper is certified, the pumper can make the examination for himself. MSHA will not, however, accept supplemental examinations in lieu of preshift examinations for any area where persons were scheduled to work or travel before the shift began.
Question: Can the preshift requirements for longwalls with regard to measurements or air velocity and methane be done by means of a mine monitoring system?

Answer: No, 75.360(a) and (b) require a certified person to conduct the preshift examination. This person must be in this area for examination for hazardous conditions.

Question: Why shouldn't a certified examiner be used to preshift all of the time, and a designee can be used when the operator sees fit to use one?

Answer: A certified person designated by the operator must conduct all preshift examinations.

Question: Exactly what is to be recorded in the preshift book? Record all methane measurements?

Answer: A record must be made in a book provided for that purpose on the surface of hazardous conditions and their locations, and the results and locations of required air and methane measurements.

Question: If there is no methane in a place or no hazardous conditions, does it have to be put in a record book?

Answer: Yes, if that location is specified in 75.360.

Question: Does a record of examinations have to be made if no hazards are found?

Answer: Yes, see 75.360(g).

Question: Sections 75.360, 361, 362, 364 requires only negative findings to be recorded. If a 'trend' toward decreasing ventilation quantities in location(s) is present, would this have to be recorded? If positive findings are not required to be recorded, how could such 'trends' be detected, since such trends are important for bleeder and worked-out area exams?

Answer: It is not correct that only "negative" findings are required to be recorded. Both 75.360 and 75.364 require quantitative records of the results and locations of air and methane measurements.
Question: If the person "designated by the operator" is not certified, who signs the records? Are initials of the "certified" person adequate to identify that person and verify certification? Should signatures of both the certified person and designated recorder and certification of the examiner be required? If the preshift examiner is the mine foreman, does he sign in both places?

Answer: The person entering the record shall sign the record, if the record was entered by other than the examiner. The certified examiner must initial and date the record to verify its accuracy. The mine foreman is required to countersign the record but only one signature is required if the mine foreman was also the certified examiner.

Question: Do preshift exams have to be recorded prior to persons entering the mine?

Answer: Yes.

Question: Can someone on the surface fill the books out if I call out my preshifts?

Answer: Yes. The certified examiner must verify by initials and date before the end of the shift.

Question: What qualifications are necessary for the person recording the examination results?

Answer: No qualifications are specified. The person conducting the examination or a person designated by the operator must record the report.

Question: Please clarify "enough locations" as mentioned in 75.360(f).

Answer: The certification (initials, date, and time) should be at sufficient locations so that a reasonable person could be assured that the examination had been done.

Question: Sections 75.360, 75.361 and 75.364 requires certification, does this indicate that no date and initials of the examiner will be included on the record
book if he fills out the book himself?

Answer: Yes, the examiner need not initial his own signature.

Question: When is the mine foreman to countersign the preshift record?

Answer: The countersigning requirement is essentially unchanged. Whatever was previously accepted for promptly countersigning will be continued.

Question: How long does superintendent have to sign books?

Answer: The superintendent does not have to sign the books.

Question: Is the foreman coming on next shift required to countersign preshift?

Answer: No. There is no such requirement.

Question: What if the mine foreman is not available to countersign a preshift report? Can he designate another person to do so?

Answer: A properly certified person (certified as a mine foreman) can be designated to act for the mine foreman in his or her absence.

Question: Current 75.324 requirements, which are a statutory provision are replaced with which section in the new regulations?

Answer: There is no requirement for a separate mine foreman report, but the mine foreman must countersign reports of examinations.

Question: Will there be updated approved record books to address new and different regulations?

Answer: No approved books at all

Question: Does 75.360(h) mean that anyone can look at the books?

Answer: Records shall be made available for inspection by
authorized representatives of the Secretary and representatives of miners.
Question: Supplemental examination - Would you elaborate on where supplemental examinations will be required?

Answer: A supplemental examination is required for any area that has not been preshift examined prior to the unscheduled entry of any person other than the certified person performing the examination. It is important to note that a supplemental is not acceptable in lieu of a preshift for areas in which persons were previously scheduled to work or travel; i.e., if work is scheduled in an area prior to the beginning of the shift, the area must be preshift examined. The supplemental examination is required for unscheduled work or travel in areas not preshifted.

Question: Would a supplemental examination be required for traveling airways, practicing escapeway drills, or traveling with inspection personnel in air courses not preshifted?

Answer: A preshift examination would be necessary for scheduled escapeway drills. A supplemental examination would suffice for unscheduled drills. A weekly examination, if performed concurrently with the preshift examination, could also be used. No examinations are required ahead of Federal or State inspectors regardless of whether anyone accompanies the inspectors into unexamined areas.

Question: What about entry into an area that was not preshifted such as to obtain a bottle of oxygen to use in an area elsewhere that has been preshifted?

Answer: A supplemental examination must be performed prior to an unscheduled entry into any unpreshifted area.

Question: Can anyone other than qualified persons accompany certified persons on fireboss rounds?

Answer: As stated in the first paragraph of both 75.360 and 75.361, until the examination is complete, only the certified person(s) conducting the examinations may enter the area.
Question: Must a supplemental examination be called out prior to miners entering the area? What about a certified pumper who is making his own exam?

Answer: Certification is required by 75.361(b). Once the examination is complete, the examiner could call miners waiting in a previously examined area. The certified person conducting an examination for himself need not call anyone.

Question: Pump men are required to check pumps in areas that have not been preshifted. If they have fireboss papers or foreman papers are they exempt from preshifting?

Answer: If the pumpman is scheduled to work or travel in the area, a preshift examination is required within 3 hours preceding the beginning of the shift and may be performed by the pumpman if certified and designated by the operator to conduct the examination. A supplemental examination is not acceptable in lieu of a preshift for areas in which persons are scheduled to work or travel.

If the pumpman must make an unscheduled entry into an area which has not been preshifted, a supplemental is required. It must be performed by a certified person. The pumpman may conduct the examination, if certified.

Question: If a hazardous condition is found or found and corrected during the supplemental examination, is record required to be made?

Answer: No. MSHA anticipates that supplemental examinations will be conducted during working shifts just before persons are sent to perform unscheduled tasks in areas which have not been preshifted and often the certified person who conducted the supplemental examination will reenter the area with the miners. Therefore, requiring a record to be made serves no additional safety benefit or purpose. A record is, however, required if the supplemental is performed concurrently with the preshift for the next shift, which would indicate to the next shift that the area has been examined and hazardous conditions would then be noted.

Question: What type of permanent record keeping is required for this section? How are we assured that supplemental exams are made? It appears that no entry in the books
is required if no hazards are found.

Answer: Certification is required to ensure that the required supplemental examinations have been conducted. Refer to the preamble for further discussion.

Question: Does a certified person traveling in a non-preshifted area have to sign or initial anything in the area if he is by himself and not there for the purpose of examining the area for other persons?

Answer: Sections 75.360 and 75.361 require, in part, that before anyone other than the certified person(s) conducting examinations enters any area, a certified person must make the required examinations.
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75.362

Question: Is an on-shift examination required when work other than producing coal is done such as repairing a continuous miner or cutting bottom on a section?

Answer: During each shift, a certified person designated by the operator must examine each section where coal is produced and any area where mechanized mining equipment is being installed or removed during the shift. This would include cutting bottom.

Question: Section 75.362(f), seems to imply that the return would need to be walked and methane tests made along its length. However, the preamble seems to imply that it is the same as the existing rule.

Answer: The test is required to be made in each return split of air from each working section at a location outby the last working place, or longwall or shortwall face, ventilated by that split of air. Methane content of that air split cannot exceed the specified value from 75.323 before the junction of the return air split with another air split, seal or worked-out area. If auxiliary fans and tubing are used, the tests shall be made at a location outby the auxiliary fan discharge. Such tests may be made by an AMS as outlined under 75.351. This is essentially the same as the old rule.

Question: Can a belt conveyor on-shift examination be conducted as part of preshift examinations if belt examiners work as the previous interpretation allows?

Answer: Section 75.362(b) in part states "...This examination may be conducted at the same time as the preshift examination of belt conveyors and belt conveyor haulageways, if the examination is conducted within 3 hours before the oncoming shift."

Question: What would constitute immediate corrective action, for example, the examiner found a broken bolt in the tailgate travelway? When or how soon would support need to be set to fulfill this requirement of the law?

Answer: After an examination is completed, procedures must be set in motion to correct the condition, such as, order
materials, assign persons to do the work, etc.

Question: Is an area of unsupported roof created by a just completed cutting cycle considered a hazardous condition? Must it be entered in the on-shift book?

Answer: If a warning sign is posted and no unusual conditions are encountered, a unbolted face would not normally be considered a hazardous condition and need not be reported in the on-shift book.

Question: Can the certified person make examinations of belt entry after shift starts and belts have already been started and coal being ran?

Answer: Yes, as provided by 75.362(b). Note, however, that a preshift is required if persons are transported or if persons are scheduled to work in the belt entry.

Question: Once our belts are started in the morning and we make an on-shift exam, if the belts are never turned off for 16 hours, do we still have to have another on-shift exam?

Answer: The actual length of the shift is the controlling factor. Section 75.362(b) requires a belt examination during each shift that coal is produced. If the example 16 hours includes two shifts, two on-shift examinations are required.

Question: On the daily (on-shift) belt examination, can the examination be made at any time within the 8-hour shift?

Answer: Yes.

Question: Does the belt examination have to be made by certified mine foreman or is belt examiner certification still good?

Answer: Persons certified as belt examiners may conduct on-shift examinations of the belt. However, they may not conduct preshift examinations.

Question: On-shift examination taking air readings at same
location, are these locations pre-determined, standard, or does this mean exactly at same location?

Answer: The examination locations are specified in the rule.

Question: Section 75.362(d)(2) states that tests for methane shall be made in working places at the last permanent roof supports, unless tests are required in the approved ventilation plan to be made closer to the working face using extendable probes or other acceptable means. Please give examples of other acceptable means.

Answer: None at this time - a provision for future technology is provided by the rule.

Question: Section 75.362(d)(1)(i) requires that a qualified person make tests for methane immediately before equipment is energized, taken into, or operated in a working face. Would this pertain to scoops during clean up?

Answer:

Question: On the on-shift examination, the return test must be taken every 4 hours. Is this testing point in line with the loading point on the section, or closer to the face area?

Answer: The test can be made anywhere in the air split between the last working place and where that split of air meets another split, ventilates seals, or a worked-out area.

Question: Are on-shift examination methane tests required on the longwall shearer now that it must be monitored?

Answer:

Question: Methane check intervals - if operators carry a methane monitor (a detector with an alarm which signals if over 1.0% of methane is encountered), does he need to pull it out of the pouch every 20 minutes?

Answer: Yes, performing a methane test presumes that a result will be obtained which can only be observed by reading
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the display.

Question: Is it possible to operate face equipment when the methane monitor fails if regular checks (max. 20 min.) are made until end of a shift?

Answer: No. Section 75.342 requires a properly operating methane monitor. The regulations have not changed in this regard.

Question: The words "at the face" were removed from old 75.302-1. Does this mean that no matter how deep a cut is, methane will only be examined for at the bolts?

Answer: Yes, except where the last permanent support location would be inadequate. Under the ventilation plan, 75.371(s) refers to "...the location where methane tests required by 75.362(d) will be made closer than at the location of the last permanent roof supports...."

Question: The words at such point or points where methane may be permitted was eliminated. Does this mean that we no longer have to examine high falls or areas or cavities for methane? Is this elimination designed to accommodate the use of a AMS?

Answer: Examination of cavities in the return air course was never expressly required. Nevertheless, an adequate on-shift examination is required to comply with the rule. An AMS cannot be used to substitute for the on-shift examination except for the 4-hour methane test specified at 75.362(f).

Question: If during an on-shift examination of a belt no hazards are found, then no record is required. Is that correct?

Answer: Yes

Question: If the examiner does not have to date, time and initial belt examination or make records of it, how can we determine that the examination has been made?

Answer: Certification is required for preshift examinations. Belt entries, if used to transport persons or if persons are scheduled to work in the belt entry, must
be preshift examined including certification. If not
preshifted, a supplemental would be required, again
with certification, before persons entered the belt
entry for unscheduled work.

Inspectors can determine if proper belt examinations
are being made and more importantly if the belt and the
entry in which it is located is being properly
maintained by determining if belts are in poor
condition, improperly maintained, or misaligned with
accumulations of coal. These conditions would indicate
that the belt is being inadequately examined.
Hazardous conditions must be corrected immediately.
Remember, a record of hazardous conditions is required.

Question: Does section 75.362(g) require that the results of all
methane tests and air quantity determinations be listed
in the record book?

Answer: No - only hazardous conditions are required to be shown
in the record book for on-shift examinations. A record
of all hazardous conditions found or reported is
required to be made whether corrected or not.

Question: Record of hazardous conditions found or reported to
certified person - What would this record (book, paper,
notebook) look like - or should contain - to make this
record acceptable to MSHA?

Answer: Any suitable book.

Question: Who is held accountable for record keeping at the mine?

Answer: The operator

Question: Are new longwall air readings required to be listed on
the on-shift?

Answer:

Question: Sections 75.360 and 75.361 specifically address
certification. Section 75.362 omits the certification
section. HOWEVER, the preamble for 75.362(g) discusses
certification. Clarify!

Answer: Certification is not required by 75.362 despite the
Question: At what time during the on-shift examination should the air measurement be made?

Answer: Anytime during the shift.
Question: If the operator is using the belt air in the working places, would the belt entry be required to be examined as an intake air course?

Answer: Yes, and also if not used to ventilate active working places.

Question: Would only one side of air courses connected by equalizing overcasts be required to be examined if the distance between the overcasts is greater than 600 ft?

Answer: No, both sides would be required to be examined if the distance is more than 600 feet. An air course is defined as an entry or a set of entries separated from other entries by stoppings, overcasts, other ventilation control devices, or by solid blocks of coal or rock so that any mixing of air currents between each is limited to leakage. In the preamble discussion of this definition, MSHA states that air courses that have common connections 600 feet or less apart are to be considered as one air course, however, if the common connection is greater than 600 feet, they are to be considered separate air courses.

Question: Is a block out of a stopping every 600' o.k.?

Answer: No.

Question: Is a pipe between two aircourses every 600' o.k.?

Answer: It would depend on the size of the opening. The intent being to provide free air exchange through a nonrestrictive opening to allow commonality of air courses.

Question: Does the deepest point of penetration mean the periphery or just the center?

Answer: The purpose of traveling to the deepest point of penetration in a worked-out area is to measure the methane and oxygen concentrations and conduct tests to determine if the air is moving in its proper direction in the area so as to determine if the area is
adequately ventilated. In a single worked-out panel an adequate determination may be made by traveling up one side of the air course to the end of the ventilation controls while large worked-out areas of interconnected panels may require more extensive travel to make a determination as to the adequacy of the ventilation in the worked-out area. Section 75.371(z) requires the operator to specify such evaluation points in the approved ventilation plan.

Question: "Deepest penetration" How does this apply to sumps?

Answer: Section 75.330(b)(2) applies to active faces. Section 75.333(g) applies to discontinued faces. Section 75.364(a)(1) applies to the worked-out area such as a panel.

Question: How many entries should be traveled?

Answer: As many as necessary to determine that the area is being ventilated.

Question: Can MSHA enforce 19.5% oxygen and 0.5% carbon dioxide standards, specified in 75.321, where evaluation points are located?

Answer: Yes, if it is in an area where persons work or travel. Some evaluation points such as on the surface or at regulators could possibly be checked without the examiner being exposed to low oxygen or high carbon dioxide. Section 75.321 does not require that the specified oxygen and carbon dioxide levels be maintained in air ventilating gob areas. Rather, the standard is intended to protect miners, in this case the examiner, from irrespirable atmospheres. Remote sampling, or some other means of maintaining 75.321 air quality in the examiner's environment, would be acceptable.

Question: Can MSHA make the 2.0% methane determination any where in the bleeder entries?

Answer: No. Section 75.323(e) specifies that the concentration of methane in a bleeder split of air immediately before it enters another split shall not exceed 2.0%. The concentration of methane within the bleeder entries is an indication whether the bleeder system is functioning
as required by section 75.334(b)

Question: Describe one possible "alternative method" in accordance with 75.364(a).

Answer: This would depend entirely on the situation and circumstances. Any proposal would be evaluated on a mine-by-mine basis when submitted for ventilation plan approval.

Question: On "Weekly Exam" does traveling the escapeways require both the primary and secondary escapeways be traveled?

Answer: Yes.

Question: Explain alternatives to weekly travel.

Answer: Evaluation points established by the ventilation plan approval.

Question: Can we get monitors for weekly examinations of air courses approved in ventilation plan?

Answer: No.

Question: Can a bleeder system be used to ventilate a worked-out non-pillared area to remove the "travel to deepest point" requirement?

Answer: Possibly, with suitable design and evaluation approved in the ventilation plan.

Question: Can a bleeder evaluation point be moved if conditions warrant and the alternate location would serve to adequately evaluate the effectiveness of the system?

Answer: Approval of the location of bleeder evaluation points and the movement thereof will continue to be handled on a case-by-case basis.

Question: Does this mean that only 2 entries have to be made on a split air system?

Answer: One entry of each intake and return split in their entirety.
Question: Does traveling all intake aircourses mean all intake aircourses of the mine or all active intake aircourses of the mine?

Answer: One entry of each intake aircourse in its entirety.

Question: Is a weekly examination required during a week when only one man is working (i.e. pumper)?

Answer: Yes. Also, a preshift examination must be made by a certified person.

Question: Are weekly tests for methane in the return entry nearest each set of seals to be recorded in the record book if no allowable limits are exceeded?

Answer: Yes, because this location is specifically required at 75.364(c)(3).

Question: If the examiner does not have to countersign or record his findings, how do you know who examined an area and how is the examiner held accountable for an adequate examination?

Answer: The examiner is required to certify in the area examined by date, time and initials. The examiner is required to record his findings or initial the record if it is made by another person designated by the operator. The mine operator is held accountable for proper mine examinations.

Question: When is the mine foreman supposed to countersign?

Answer: A time limit is not specified but current practices will continue.
75.370

Question: What is the whole ventilation plan approved under, 75.370 or 75.371?

Answer: The ventilation plan consisting of two parts is approved under section 75.370(a)(1).

Question: What section of law will be cited from November 16 until the operator updates plan which is not due to February 15, 1993?

Answer: Section 75.370(a)(1)

Question: If a mine operator's plan is due for review prior to February 15, 1993, can MSHA conduct a review without update of plan to comply with new regulations?

Answer: The mine operator has the time between the effective date and February 15, 1993 to update the plan where it conflicts with the new regulations. Operators may, however, submit revised plans prior to February 15, 1993.

Question: Do the new regulations require that ventilation plans be approved, as opposed to being submitted prior to their due date?

Answer: No. Operators have until February 15, 1993 to submit the revised plans.

Question: Old plans remain in effect until when?

Answer: Ventilation plans, revised to conform with the new regulations must be submitted by February 15, 1993. Other plans which are no longer required under the new standards will be void on the effective date of the rule and the mandatory standards which replace them will be enforced. Until a new ventilation plan is approved, any provisions of the old plan which have been superseded by a mandatory standard, e.g. stopping construction, will be considered void and the mandatory standard will be enforced.
Question: How do I get revisions in the plan by the effective date so I do not get a violation on the standards when they become effective? For example, 30,000 cfm for longwalls etc.?

Answer: Submit the appropriate information ahead of the effective date to comply with requirements such as an alternative location for the longwall shearing machine methane monitor required at 75.342. New ventilation plans, revised to conform with the new rules, are not required until February 15, 1993.

Question: Are ventilation reviews still scheduled every 6 months?

Answer: Yes, but there will be no map submittal except once a year.

Question: When ventilation plan is approved, does it have to be resubmitted for approval every 6 months?

Answer: No. The operator must submit 3 copies of the map every 12 months. If nothing has changed and the district manager has not requested a consolidated plan (paragraph (a)(2)), a new plan should not be submitted. However, MSHA will review plans every 6 months.

Question: If the map shows 75.371 requirements that must be approved, does the map have to be submitted every 6 months?

Answer: No, maps are to be submitted every 12 months.

Question: Are ventilation plan updates required every 6 months at one section mines?

Answer: No, only if revisions are necessary.

Question: If only MSHA reviews our ventilation plan every 6 months, do we have to submit anything, such as a letter?

Answer: No; maps, however, must be submitted annually.

Question: In a district where a ventilation plan has been required each 6 months, will the final rule allow a
longer period provided the plan does not need "consolidating" and/or "deleting all outdated material"?

Answer: Yes. New plans will not be required every 6 months.

Question: What has to be approved in the new ventilation plans? Will a new ventilation plan be required each year for a one section coal mine?

Answer: Those items which are identified in the 75.371 have to be approved in the new ventilation plan. The new ventilation plan, once approved, does not have to be resubmitted at 6-month intervals. An updated map will be required each year.

Question: Will any of the mandatory standards need to be restated in the ventilation plans if it is already required?

Answer: In order to avoid confusion and to make the plan as simple, streamlined, and effective as possible, mandatory standards must not be repeated in plans. District managers may disapprove plans and request that such repeats of mandatory standards be deleted when not necessary.

Question: Is the ventilation plan and dust plan the same plan under one cover, or two separate plans?

Answer: Either is acceptable.

Question: Since all responsibility for plan review is removed from the operator and the district manager, does this mean that the AR (the inspector) is responsible for plan reviews?

Answer: The MSHA practice of plan review has not been changed by the standard. The words authorized representative were used for clarity.

Question: Auxiliary fan guidelines, etc., in our current plan, are they superseded by the new law?

Answer: Yes, replaced by mandatory standards which apply to all mines.
Question: What about mines that have only one stopping line to separate intake from return and use scoops to haul coal to the outside? Will they be affected by certain rules?

Answer: Yes.

Question: When the district manager requires a plan to be resubmitted, is it subject to approval?

Answer: Yes. Such a request will normally be done after a 6 month review. If all the operator does is consolidate and discard outdated material and doesn't add anything new an additional review will not be necessary beyond a determination that the plan is consistent with the one reviewed and that it remains adequate. In such a case, the district manager may, however, issue a new approval letter for the consolidated plan to simplify tracking and bookkeeping for all parties.

Question: Can verbal approval of a plan be granted?

Answer: No - Section 75.370(b)(1) states that the district manager will notify the operator in writing of the approval or denial of approval of a proposed ventilation plan or proposed revision.

Question: Some small mines could submit a ventilation plan initially and never again submit another, correct? However, MSHA must request an updated map, correct?

Answer: Conceivably, yes. Section 75.372(a)(1) requires the operator to submit an up-to-date map of the mine at intervals not exceeding 12 months.

Question: Will any approvals for ventilation changes be allowed verbally? Example: the roof falls and blocks the aircourse and the escapeway needs to be changed. Does this require written approval?

Answer: No verbal approvals. Escapeways, however, are not subject to approval. Rather, all mines must comply with the mandatory standard. As with other mandatory safety standards, inspectors assess compliance or non-compliance with the standard and take enforcement action as appropriate. Any changes in escapeway routes must be shown on maps by the end of the shift in which
they were made and affected miners must be informed of the changes before entering the mine.

**Question:** Do all 9,000 cfm ventilation changes require approval by the district manager?

**Answer:** No, section 75.324 sets out procedures that must be used when intentional changes affects section ventilation by 9,000 cfm or more in bituminous or lignite mines or 5,000 cfm in anthracite mines as well as intentional changes that alter the main air current or any split thereof that could materially affect the safety or health of persons in the mine. The district manager approves only those intentional changes that could materially affect the safety or health of persons in the mine, or changes of the plan content specified in 75.371.

**Question:** When making intentional ventilation changes, do we have to get approval each time (i.e. changing regulators to balance air on the section, etc.)?

**Answer:** No, not for normal redistributions of air within an overall ventilation system which has been approved. Routine adjustments to the system do not require individual approvals.

**Question:** How much detail is necessary for approval of ventilation change? (Example: adding an additional fan shaft. We cannot know the final readings prior to the necessary adjustments needed.)

**Answer:** Details should address the projected quantities that are anticipated, then corrected quantities should be submitted if there is a great difference. Details should be adequate to show how it might materially affect the ventilation system.

**Question:** Section 75.370(d) requires that the operator instruct affected persons in the provisions of an approved ventilation plan or a revision to a ventilation plan before it is implemented. Will an MSHA Form 5000-23 be required for this training?

**Answer:** No.
Question: Does the operator have to show that miners have been trained in new procedures?
Answer: There is no requirement that the operator make a written record of the instruction required by 75.370(d).

Question: What part of ventilation plans must be discussed with the miners?
Answer: Before implementing an approved ventilation plan or a revision to a plan, persons affected by the revision must be instructed by the operator in its provisions.

Question: It says a copy of the ventilation plan shall be made available to the representative of the miner but it does not say when.
Answer: It is intended, that when the proposed ventilation plan is submitted to the district manager for approval, a copy will be concurrently made available for inspection by the representative of the miners and posted on the bulletin board.

Question: Proposed and approved plans must be posted and made available to a representative of the miners. Are proposed and approved revisions to the ventilation plan also required to be posted and made available to the miners?
Answer: Yes.

Question: The operator may show ventilation plan information on the ventilation map. When this is done, is the map required to be posted? The map may be larger than the mine bulletin board in many cases.
Answer: The ventilation map is a part of the ventilation plan and is required to be posted. The map could be folded and placed in a manila envelope. There is no requirement that it be posted so as to be viewed without unfolding.

Question: Can the representatives of the miners discuss with the district manager approved plans for the mines they represent?
Question: Is the operator required to give the miner's representatives time to review a proposed plan or revision prior to submission?

Answer: No. However, 75.370(a)(3) requires that a copy of a proposed ventilation plan or revision that is submitted for approval be made available for inspection by the miners' representative and be posted on the mine bulletin board. MSHA will consider written comments from the representative of the miners during the plan review process.

Question: If the plan is posted in a folder in the mine foreman's office where the miners' representative does not normally go, is the posting requirement met?

Answer: No. This section requires proposed plans and revisions and approved plans and revisions to be made available for inspection by the representative of the miners and to be posted on the mine bulletin board.
75.371

Question: If the operator fails to submit more than one item on the ventilation map specified in 75.372, would one citation be issued?

Answer: Yes, one or more citations may be appropriate.

Question: If the operator fails to submit 3 copies of up-to-date map at required intervals, could a citation be issued?

Answer:

Question: Can MSHA set a dead-line for a response to a request for additional information needed for plan reviews?

Answer:

Question: Can MSHA request that an operator consolidate his plan under 75.370(a)(2) between November 16, 1992 and February 15, 1993?

Answer: The rule specifies that operators have until February 15, 1993, to submit plans. MSHA may not impose an earlier date. Operators may, however, submit revised plans before the deadline at their discretion.

Question: Is the February 15, 1993 dead-line for submission of plans required to be revised or is the dead-line for submission and approval?

Answer: This is the dead-line for submission only.

Question: When the operator submits revisions, can we ask for a complete plan?

Answer: Yes, if a completely revised plan is necessary to evaluate the revision as provided by 75.370(a)(2).

Question: Should MSHA ask operator to submit a list of all possible plan items and state "DNA" if it does not apply?
Answer: No. MSHA intends to simplify and streamline the plan to the maximum possible extent.

Question: Since mine projections are required under 75.372 and 75.372 information is not subject to approval by the district manager, does this mean the mine operator no longer needs prior approval for projection changes?

Answer: The operator will no longer need approval for projection changes except those required under 75.371(x).

Question: If the operator does not follow projections shown on the ventilation map submitted under 75.372, is this a violation?

Answer: No. But all requirements of Subpart D and the 75.371 plan contents must be followed.

Question: How many revisions would you recommend be allowed before a fully up-dated plan is required?

Answer: The Agency did not promulgate any number. When it becomes difficult to understand the operational provisions of the plan due to amount of outdated material or the number of revisions, the district manager should require the operator to submit a fully revised and consolidated plan.

Question: How would MSHA get an operator to delete part of plan?

Answer: Communicate with the mine operator in accordance with procedures set forth in Program Policy Manual, Volume V, V.G-4.

Question: Should requests for additional information be specific?

Answer:

Question: If the mine has 5 identical development sections, how many face sketches are required?

Answer:
Question: If the presently approved ventilation plan requires 4,000 cfm at the face, does MSHA have to evaluate again to justify this requirement?

Answer: No, however, MSHA may need to re-evaluate if warranted by a change of conditions.

Question: If a longwall operator has a lot of citations for exceeding respirable dust standard, can MSHA require more velocity - velocity rather than quantity?

Answer: Plans will not be approved with velocities which are inadequate to comply the methane and respirable dust standards.

Question: If a 15 foot line curtain set back was approved in present plan, what section would you cite for non-compliance?

Answer: Section 75.370(a)(1) whether in old or new plan on or after the effective date of November 16, 1992.

Question: If the mine uses diesel equipment, would the quantity of air in the last open crosscut be increased accordingly?

Answer: Yes.

Question: What determines MSHA's decision as to whether 9,000 cfm is not sufficient when the "rule" says it is?

Answer: The decision to require more than 9,000 cfm depends on compliance with methane and respirable dust standards. The use of diesel equipment is also taken into consideration. Other considerations would include the mining height and particular mining system being employed.

Question: Are water spray locations in belt entries to be shown in ventilation plans?

Answer: Section 75.371(u) requires that plans specify the dust control systems used at transfer points and haulageways.
Question: How does MSHA want MMU sheets addressed and what information will be required?
Answer: The information in 75.371 is necessary. Section 75.371(f) is a specific requirement. MSHA is developing refined procedures for approving the dust control provisions of ventilation plans.

Question: Can four open crosscuts still be approved?
Answer: Yes it could, but it is unlikely. MSHA has approved three with adequate justification.

Question: Drawings such as cut sequence—are these still required, since they are not addressed in the final rule or regulations?
Answer: Yes, if the sketches are necessary to explain the section and face ventilation systems as specified in 75.371(f). (Section and face ventilation systems used, including drawings illustrating how each system is used, and a description of each different dust suppression system used on equipment or working sections.)

Question: The words "practices, travelways, and in detail" was removed from old 75.316-1(b). As an example, will the operator be required to show their practices in detail for controlling respirable dust in faces, in travelways and feeder crushers? What will they have to identify?
Answer: The dust control measures for those areas are addressed under 75.371(u).

Question: Does that include scoop roadways?
Answer: Yes, for dust suppression.

Question: Are there going to be any changes in the way companies will address their methane holes?
Answer: Yes. Section 75.371(dd) requires that the ventilation plan include the locations of degasification holes, both horizontal and vertical. Section 75.371(ee) requires that the ventilation plan describe methane drainage systems including a detailed sketch and a
description of safety precautions

Question: Will 20-ft. line curtain setbacks, stopping maintenance to the fourth open crosscut, etc., now require 101(c) petitions for modification?

Answer: Curtain distances and stopping locations may be addressed in the ventilation plan if different from the applicable standards. See 75.371(1) and (o). Petitions are not required.

Question: Section 75.371(x) requires that a description of the bleeder system to be used, including its design to be specified in the ventilation plan. This is commonly considered to be a projection and is mentioned in 75.372(b)(14). Please discuss what projections are subject to approval and how this should be handled.

Answer: Section 75.334(c) requires that the ventilation plan specify the information required by that section. If the ventilation map is used to project the bleeder system and its design, then the projections relative to the bleeder on the map are subject to approval, and must be followed.

Question: Can MSHA approve evaluation points ahead of time?

Answer: Evaluation points could be approved for certain systems provided that the district manager can be satisfied that they are adequate.

Question: Will bleeder evaluation stations be allowed?

Answer: The means for determining the effectiveness of bleeder systems will be approved in the mine ventilation plan.

Question: Will a bleeder description now used in the plan be accepted in the new plan?

Answer: If all of the 75.334(c)(1) through (4), and 371(x) through (bb) information is already in the plan.

Question: In the discussion regarding bleeder systems, it states that the bleeder system can be tailored to the conditions in the particular mine where it will be
used. It makes note of small hilltop mines with minimum methane liberation - unique conditions. How will the approval of the ventilation plan take these points into account?

Answer: A review will be performed of methane liberation, of overburden, the proximity to the outcrop, water accumulations, etc. The review will determine whether or not a plan can be approved.

Question: Section 75.372(b)(18) specifies that the ventilation map must show the location of proposed seals for each worked-out area. The preamble states that the design shall be such that each worked-out area can be sealed. Is this on a section by section basis or can several sections be tied together?

Answer: Section 75.334(e) states that each mining system shall be designed so that each worked-out area can be sealed. The regulation discourages indefinite interconnections and is intended to promote prudent mine layout, development, and subsequent isolation by sealing of distinct mining blocks or areas.

Question: Timber seal construction - is it required to be in the ventilation plan or is it addressed adequately in the regulations?

Answer: Seal construction, if different than that specified in 75.335(a)(1), must be included in the ventilation plan as specified in 75.335(a)(2).

Question: If a back-up fan produces less quantity but acceptable quantities to mine coal, can approval be given to mine coal?

Answer: No, these cases will be reviewed on a mine-by-mine basis to determine the activities that can occur during the backup fan operation. The rule states that the specified precautions must be taken when a fan is stopped and the ventilating quantity provided by the fan is not maintained by a backup fan. This provision, which is intended to allow necessary mine maintenance activities such as pumping when the fan is stopped, allows persons to enter the mine and electric power circuits to be energized as specified in the approved ventilation plan.
Question: Section 75.371(j) addresses the operating volume of machine mounted dust collectors. Does this include scrubbers?

Answer: Yes.

Question: Does the operating volume of machine mounted dust collectors mean the measured volume?

Answer: Yes, if the dust collector is in a proper state of maintenance.

Question: How do we check the scrubber? By MSHA standards or manufacturer standards?

Answer: The operating volume of the scrubber is best determined using a pitot tube. Section 75.371(i) requires the operating volume of the dust collector or diffuser fan, not the manufacturer's specified volume.

Question: Is the roof bolting machine dust collectors operating volume required in the ventilation plan?

Answer: Not unless some highly unusual condition or problem exists which could be addressed by such a plan requirement.

Question: The velocity determinations that are required to be specified on a longwall face, at least 50 feet but no more than 100 feet, from the headgate and tailgate is new. Can MSHA require this before February 15, 1993?

Answer: MSHA can only require whatever is specified in the existing approved plan until a new plan is approved (Plan requirements superseded by specific standards will no longer apply).

Question: If a longwall normally has 50,000 cfm on the section and a new plan requires 30,000 cfm. Can the quantity be lowered to 30,000 cfm in 9,000 cfm increments and not be considered an intentional change so the plan parameters can be evaluated? We need guidance on this.

Answer: The 9,000 cfm incremental reductions will be assessed as possibly materially affecting the safety and health of the miners. With regard to dust control parameters,
MSHA is developing a procedure to better address dust control engineering parameters.

Question: If an existing approved plan requires more than 30,000 cfm, what section should be cited for non-compliance on or after November 16, 1992?

Answer: Section 75.370(a)(1).

Question: Will the new requirements for air quantity and controls in longwall ventilation plans replace the need for submitting a longwall move plan prior to every move?

Answer: Yes, unless some unique condition or problem exists, the general requirement of 75.371(r) should be sufficient.

Question: Velocities higher than 250 fpm in trolley haulage entries have been approved in the past due to obstructions in the entries. The new regulation addresses only methane, true?

Answer: There is no change. Section 75.327(b) uses the same wording as section 75.327-1 in the old subpart. The things that are considered include the ability to comply with the methane and dust standards. This may necessitate greater velocities in certain areas to ensure that methane is controlled in the trolley haulage entries.

Question: Are all AMS sensors used in the mine to be shown on the map or just those that are used to comply with the ventilation plans provisions - as in: 75.323(d)(2)(ii), 75.340(a)(2), and 75.362(f)?

Answer: The map must show the location of all AMS sensors in the mine.

Question: Both sections 75.371 and 75.372 require locations for AMS sensors. Would not the locations on the map suffice for both?

Answer: The locations of sensors addressed in 75.371 are generic locations, e.g. power centers, belts, section returns, etc. while 75.372 requires the exact locations of all sensors in the mine. The map must accurately
indicate the location of sensors at the time of submission.

**Question:** Do operators need the requirements of 75.371(r) relative to the installation and removal of mechanized mining equipment in the plan generically?

**Answer:** Yes. If the installation and removal of equipment is a common occurrence. A generic plan may not be needed for a small one unit mine.

**Question:** Do you have to submit new plans when a section is moved from pillar extraction to advanced mining?

**Answer:** No, if the appropriate information, such as the required bleeder system information, is already in the approved ventilation plan.
75.372

Question: The 75.372 map will have a due date every 12 months. Is it subject to district manager's approval?

Answer: No

Question: Please explain procedure for obtaining approval when a projection change is required, due to low coal or other adverse conditions, between the 12 month intervals?

Answer: Approval is not needed if the change doesn't materially affect health and safety of the miners, such as the same number or air courses, same direction, etc., or if it does not change the information approved under 75.371.

Question: Section 75.372 requires anticipated mining projections, although these will not be approved. Can changes be made to the projections (minor or major) under 75.372 so long as they do not cause a change in the approved plan (75.371) and they do not cause any major changes under 75.324?

Answer: Yes.

Question: Do 12-month projections have to show proposed permanent stoppings?

Answer: Yes, 75.372(b)(12) refers to those in-place and 75.372(b)(14) refers to those projected.

Question: The proposed twelve month projections, do they have to be double line projections to show proposed ventilation controls?

Answer: Projections must be adequate and sufficient to show all information specified in 75.372(b)(14).

Question: How much detail is necessary for the projections and proposed ventilation controls required by section 75.372?

Answer: Detailed enough so that the reviewer can understand the
mine development ventilation system and location of proposed ventilation controls.

Question: Can the operator change the direction of air flow as shown on the 75.372 map without prior approval?

Answer: The operator would need prior approval if the change could materially affect the health and safety of miners as specified in 75.370(c) but not because it had been shown on the ventilation map.

Question: What action should MSHA take if the operator shows a violation on the ventilation map such as a trolley in intake escapeway?

Answer: If the inspector determines that it is a true depiction, then proper enforcement action should be taken. If it is determined that it was an error, then action should be taken to have the map corrected.

Question: Will the mine ventilation map be used to portray the bleeder system?

Answer: It can be used for this purpose but it is not required. An operator could, alternatively, depict the required bleeder information on 8.5 by 11 inch sheets and include the information in the body of the 75.371 plan.

Question: Will we be required to remove all information not required by the new regulations that we have placed on the maps, as asked by MSHA, over the past few years?

Answer: No. Maps depicting additional, or other, information will be accepted as indicated by 75.372(c). However, MSHA will review the map only to ensure that the required 75.372 information is shown. Information previously requested by MSHA may be removed at the operator's discretion unless the district manager has a need for the information.

Question: Will the 75.372 map be reviewed and citations issued for any "deficiencies" found by the District Staff?

Answer: Citations may be issued for maps which do not comply with 75.372.
Question: What is the engineer certifying on the 75.372 mine ventilation map, the accuracy only, or all the information required under that section?

Answer: The engineer certifies those portions of the map for which an engineer would ordinarily be responsible in the preparation of any map, and that the map is true and accurate.

Question: Is the signature certifying the map adequate to show "the name of the individual responsible for the information on the map"?

Answer: Requires 2 names unless the person certifying the map is also responsible for the other information. Then one signature is adequate if it is clear that the single person is responsible for both areas.

Question: Who is responsible for map, Chief Health and Safety Officer or Certifying Engineer?

Answer: The person certifying the map and a person responsible for the information whose name will be shown on the map. See 75.372(a)(1) and (b)(1).

Question: May the district manager approve a map without contour lines of elevations at 10 foot intervals?

Answer: Only if the district manager has permitted a wider spacing as provided by 75.372(b)(17). Only those portions of the map depicting 75.371 will be subject to approval; otherwise, MSHA will acknowledge that its review of the map indicates compliance with 75.372.

Question: What will the vertical distance minimum/maximum be for showing seams above and below the seam being mined?

Answer: No distance specified.

Question: Are old mines required to be shown if they are not on mine property? Within 1,000 feet?

Answer: This information is not required by 75.372(b)(3); however, it is required by 75.1200.
Question: How do you distinguish between overlying and underlying workings on a mine map and not make the map unreadable?

Answer: Use overlays.

Question: Do all sealed areas of a large mine have to be shown on each map every year?

Answer: Yes, as per 75.372(b)(2).

Question: What type ventilation controls must be shown on plan submittals? Does this include all stopping locations?

Answer: Ventilation controls, both in-place and projected must be shown on the map. Construction requirements are governed by mandatory standards and should not be repeated in the ventilation plan.

Question: When mapping under or overlying workings - must you show individual pillars or will an outline of the works suffice?

Answer: Individual entries and pillars must be shown, an outline of the area will not suffice.

Question: How will new regulations affect mines that do not have projections that would allow compliance? (Mine is on retreat).

Answer: Retreat mining would require the bleeder system projections and an indication of the expected retreat during the next year.

Question: Does the requirement to show all boreholes penetrating the coal bed include all types of boreholes, or does it refer to specific types of boreholes? (Gas exploration, coal exploration, dewatering holes, etc.)

Answer: All known drill holes according to 75.372(b)(5).

Question: In a case where there is one mine and one slope but two different coal seams, would an overlay be required?

Answer: Yes and it should be detailed enough to correlate the workings in both seams.
Question: The ventilation map required by 75.372 is not subject to approval by the district manager. However, if all required information is not shown on the map would this constitute a violation of 75.372? Also, if an up-to-date map is not submitted at least every 12 months, would this be a violation?

Answer: Yes to both questions.

Question: The ventilation map regulations do not specifically require mine floor elevations. This information is needed to adequately evaluate requests for bleeder evaluation points. Can we require these elevations if the operator wants approval?

Answer: Section 75.372(b)(17) requires that contour lines be provided. The contour lines normally will be sufficient for the review.

Question: Can the operator show arrangement of stoppings on the map required by section 75.372?

Answer: Yes. This is where he is required to show them other than on working sections.
75.373

Question: The preamble states that no enforcement action will be taken if any observed deficiencies are corrected promptly. What does promptly mean?

Answer: Promptly generally means responding without delay, and in this usage definitely means prior to starting production.

Question: On the complete inspection before reopening, will citations be assessed a fine and points to the mine history?

Answer: No.

Question: What happens if a mine changes name or ownership but there is no shut down?

Answer: Section 75.373 would not apply in such a case.

Question: Can work be done on the inside of the mines before MSHA is notified?

Answer: No, 75.1721(a) requires prior notification.

Question: What work can an operator perform before a reopening inspection is done?

Answer: Nothing may be done prior to notification of MSHA. Rehabilitation or construction work may occur but production may not begin until the 75.373 inspection has been completed.
Question: If you reopen a mine that has been closed for 10 years, where do the escapeway provisions, including 75.380(f), apply?

Answer: The new escapeway provisions apply throughout the mine. Notice, however, that 75.380(f) is applicable only to those portions of the mine developed after the effective date of November 16, 1992. The application of 75.380(f) depends on the development date and is independent of interruptions in mine operation, change of ownership, etc.

Question: Is the primary escapeway required to be on intake air?

Answer: Yes.

Question: Are escapeways required from construction areas (i.e., belt drive installations etc.)?

Answer: Escapeways are required from each working section and each area where mechanized mining equipment is being installed or removed, 75.380(b)(1).

Question: Will primary escapeways be grandfathered? If grandfathering of escapeways exists - will these entries be required to be free of electrical hazards and diesel equipment not provided with automatic and manual activated fire suppression systems?

Answer: The provisions of paragraphs 75.380(f)(1) and (f)(2) apply to primary escapeways in areas of the mine developed after the effective date. Other provisions, such as 75.380(d) regarding escapeway dimensions, are not grandfathered and are applicable mine-wide on the effective date.

Question: Would an entry normally considered a primary escapeway be allowed to have equipment operating in it which is excluded by paragraph (f)(1) if no persons were inby this equipment while it was being used?

Answer: Yes, provided that no persons were inby the location. Escapeways are required from working sections and each
area where mechanized mining equipment is being installed or removed.

Question: Can equipment have a separate split of air and be considered out of the primary escapeway?

Answer: Yes, unless in a crosscut immediately off the primary escapeway. In this case, the equipment would be required to be located between two permanent ventilation controls with adequate airflow. Equipment located inby a bona fide split point is acceptable.

Question: Areas where equipment is being removed or installed must two separate and distinct escapeways be maintained? One on intake air?

Answer: Yes. Escapeways shall be provided from each working section and each area where mechanized mining equipment is being installed or removed.

Question: Where in the regulations is it required that the operator maintain surface access roads to escape facilities?

Answer: Surface access road maintenance is not required by the standard. Section 75.380(j) requires that the facility be operational within 30 minutes after the surface is notified of an emergency requiring evacuation. Also refer to 75.382(d).

Question: Do these provisions for escapeways requiring mechanical hoisting apply to interseam rock slopes and shafts or steeply pitching coal seams?

Answer: No. Shafts and slope that are the subject of 75.380 refer to surface openings.

Question: Designed to prevent slippage - please explain. What is used to prevent slippage? What is meant by slippage in drift openings?

Answer: It is intended that persons who must escape through a slope or drift opening, if mechanical escape facilities are not used, have adequate footing. This could be a stairway, step cleats or any other device to prevent slippery footing.
Question: If entry is 10-12% grade for over 1000 feet, do you have to have mechanical escape facilities? If so, what do you consider mechanical escape facilities?

Answer: The rule applies "from the coal seam to the surface" as stated in the preamble.

Question: Escapeway - If secondary escapeway is slope belt line and over 18° degrees. Does this escapeway have to be provided with separate mechanical means of transportation if belt is not set up to transport men?

Answer: As stated in the preamble, paragraph (i) addresses shafts and slopes in designated escapeways and requires that mechanical escape facilities be provided and maintained for each slope to the surface. See the preamble for a full discussion.

Question: Are slopes, currently used as escapeways, grandfathered? Do mechanical escape facilities need to be retrofitted?

Answer: No grandfathering. Section 75.380 includes grandfathering clauses only for paragraphs (f) and (g).

Question: Escapeways - Can ladders be used in lieu of ramps over obstructions such as overcasts?

Answer: Yes, if the ladder will meet the escapeway requirement. Example: Width, vertical height, and grade.

Question: Does "located to follow the most direct, safe, and practical route to the surface" still mean to the nearest mine opening?

Answer: The interpretation of most direct, safe and practical route to the surface has not changed.

Question: Since safest most direct route was eliminated on primary and by passing nearest mine opening was eliminated, are these now enforceable? Eliminated the request of old 75.1704-2 that the route of escape to the nearest mine opening. Does this mean that operators can designate escape routes is that will bypass a shaft? Will the operators still have to
install escape facilities in nearest shafts? What will happen if an escape facility is inoperable?

**Answer:** The escapeways must follow the most direct, safe and practical route to the surface, 75.380(d)(5). Escape facilities will still be required according to 75.382. If one escapeway terminates at the nearest shaft, then the second may be routed to a more distant shaft if it would be the most direct, safe and practical route to the surface.

**Question:** Is the person who operates the emergency escape cage required to be certified? Is this person required to be on mine property?

**Answer:** A person trained to operate the mechanical escape facility always must be available while anyone is underground.

**Question:** Continuous to the drift, shaft or slope facilities. Can an escapeway change air streams? Three entry gate entries. Can the alternate escapeway be routed out the return and transfer to the belt and haulage entries neutral, at the mouth of the panel?

**Answer:** Two separate and distinct travelable escapeways must be provided. The primary escapeway must be ventilated with intake air and meet the other requirements of 75.380. The provision also requires the escapeways to follow the most safe and direct practical route to the surface and allow disabled persons to be transported in the escapeways. This will allow going from one entry to another as long as the two escapeways are separate, distinct, and are not in the same air course.

**Question:** The preamble states pressure separation at shaft bottom - how far can this separation be inby the shaft bottom?

**Answer:** The regulation does not specify a distance, it states at the shaft or slope bottom. The practice of providing a pressure separation between air courses at the bottom of shafts and slopes has been an accepted practice under the existing rule.

**Question:** Situation: A mine utilizes the belt entries as the alternate escapeway. Since the belt slope is not (and cannot) be equipped with a "mechanical escape facility"
it will be necessary to direct the escapeway out the track portion of the slope (divided slope). This will require crossing the intake split (and primary escapeway) entering the mine from the adjacent elevator shaft. Since the final rule permits the primary and alternate escapeways to be ventilated from a "common intake air shaft or slope opening" is this an acceptable method of compliance?

Answer: No. The hypothetical example is not analogous to ventilation from a common opening and is not permitted. Physical separation is required.

Question: Paragraph (b)(1) indicates that the escapeway air and route will be separate and distinct to the surface. Paragraph (c) says that it will be separate and distinct and even says that walls have to be constructed. Paragraph (h) says that the same air can be used for both escapeways. Is the escapeways going to be separate and distinct to the surface?

Answer: Two physically separate and distinct escapeways must be maintained; however, they may be ventilated from a common intake air shaft or slope opening. The practice of providing a pressure separation between air courses at the bottom of shafts and slopes was a widely accepted practice under the old rule. The same escape facility cannot, however, be used for exiting the mine for both escapeways.

Question: Height and width of escapeways variances outstanding - are they void? Personnel doors 3 feet wide - would they have to be changed? Are they grandfathered?

Answer: The requirements are specific and apply throughout the escapeway. Escapeway dimensions were not grandfathered and apply mine-wide.

Question: Are all previous doors in escapeways going to be changed to meet upcoming requirements?

Answer: The size and location of escapeway doors was not grandfathered in the revised regulations. In the past MSHA has permitted lesser dimensions and in these instances MSHA will allow time to comply with these provisions.
Question: If the escapeway cannot be 4 feet wide due to conditions, can an operator still file for a variance with signs on either side of area in question to comply with the law?

Answer: The district manager has no authority to alter or to grant a variance of this rule. Operators must either comply with the standard, or be granted a petition for modification of the rule.

Question: Do timbers set to control rib sloughage constitute supplemental support for purposes of escapeway widths?

Answer: Timbers which can be considered supplemental roof support would meet the 75.380(d)(4)(i) provision.

Question: Will doors in escapeways that are less than 4 feet wide have to be replaced? What about areas which were permitted to be less than 4 feet, will they require widening?

Answer: Yes to both questions. However, if they were approved under the old regulations, it would be expected that a reasonable amount of time will be given to comply provided that work begins promptly and continues in a reasonable manner.

Question: What relief is there for an alternate escapeway that has to be cribbed down to less than 4'-wide, due to poor roof conditions, to make the entry safe for travel?

Answer: The regulations do not allow for anything less.

Question: If diesel equipment, electrical equipment described in 75.340(a) and 75.340(b)(1) or compressors described in 75.344 are installed in a crosscut off the primary escapeway between a stopping with regulator at each end of the crosscut to ventilate the installation to the return, could such installations be considered as not being in the primary escapeway? In the case of a battery charging station one end of the crosscut would need to have an equipment door?

Answer: This installation (between two permanent ventilation controls) would be acceptable provided that all 75.340 or 75.344 requirements were met and sufficient airflow
were maintained through the structure to prevent any potential smoke rollback in the event of a fire. It would also be acceptable to locate the equipment off the primary escapeway (not in an adjacent crosscut) inby a bona fide split point.

Question: The preamble uses the term permanent pumping station what is a permanent pumping station?

Answer: Section 75.340 specifies the requirements for pumping installations. Section 75.340(b)(2) through (b)(5) excepts certain pumps from the requirements of 75.340(a). The term "permanent" is not used in 75.340(a) or (b).

Question: Belt boxes, charging stations, etc. will the existing equipment have to be moved?

Answer: No.

Question: Do section power centers fall under the provision of no power centers in intake escapeway?

Answer: Section transformers normally are near the loading point, which is the entrance to its primary escapeway. They are moved with the section and seldom are more than 2 crosscuts outby the loading point. Section 75.380 does not prohibit their use.

Question: Is 7200 volt (high-voltage feed line) allowed to be maintained in intake escapeway?

Answer: Yes.

Question: Can a battery charging station be in the escapeway?

Answer: Section 75.380(f)(1) prohibits such equipment in the primary escapeway in areas developed after November 15, 1992.

Question: Can air compressors or other non-fire suppressed diesel/electrical be used in primary intake escapeway in areas developed after November 15, 1992, if:
(1) Area inby is idle?
(2) Inby personnel are removed?
(Such as air compressor in primary intake, but not used to maintain airway).

Answer: If anyone were inby, it could only be used to maintain the primary escapeway provided that the applicable regulations are met, 75.340, 75.344, etc. Fire suppression would also be required by 75.380(f)(2) as it specifically states that "...equipment used in the primary escapeway under paragraphs (f)(1)(i) and (f)(1)(ii) of this section shall be equipped ...."

Question: If continuous mining machine section equipment is kept outby the loading point and along intake escapeway, but advances with the section loading point, does it have to have automatic fire suppression? Example: second electrical roof bolter.

Answer: No. This would be considered section face equipment.

Question: Can a portable diesel powered rock dust pod be used, while setting in the intake escapeway, to dust the beltline?

Answer: The standard only allows equipment to maintain the escapeway and haulage equipment for transportation of persons and materials. The unit could be used for maintenance of the primary escapeway (but not to dust the beltline) if equipped with 75.380(f)(2) fire suppression.

Question: Can transformers used to maintain escapeways be used to power other equipment, e.g. belt drives?

Answer: No, not unless powering the other equipment is also necessary to maintain the escapeway developed after the effective date.

Question: Where would electrical equipment be required to be installed in a 3 entry system? Section transformer?

Answer: In an air course other than the primary escapeway. Power centers which move with the section are excluded.

Question: Are power cables permitted in the primary escapeway?

Answer: Yes.
Question: What type of pumps, if any, are going to be allowed in primary escapeway to keep clear of water? Will this apply to existing pumps?

Answer: The rule permits equipment in the escapeway necessary to maintain the escapeway in a safe travelable condition, including pumps specified under 75.340(b)(2) through (b)(6).

Question: Will transformers for belt heads still be allowed in primary escapeway if you build a stopping outby transformer in crosscut with regulator causing positive air flow to the return?

Answer: This installation (between two permanent ventilation controls) would be acceptable provided that all 75.340 requirements were met and sufficient airflow were maintained through the structure to prevent any potential smoke rollback in the event of a fire.

Question: Can a track entry be a primary escapeway if no trolley wire is used? Diesel man bus? Battery bus?

Answer: Yes, if the primary escapeway meets all the requirements of 75.380, and the haulage equipment also complies with the standards.

Question: A mine uses diesel type mantrips and supply cars. Are they going to specify the number allowed?

Answer: No.

Question: How will diesel generators for equipment movement fit into primary escapeways - they are not listed in the excepted list?

Answer: Mobile equipment used in the primary escapeway for transportation of material or persons may be used if paragraph (f)(2) is met.

Question: How will equipment like continuous miners be handled when being trammed in escapeway from section to section? Will it also be required to have automatic fire suppression, dry powder type?
Answer: Section 75.380(f)(2) does not apply to electric face equipment.

Question: Does automatic fire suppression require automatic engine shutdown?

Answer: Automatic shut-off is not required by the standard. Systems are required to be listed or approved by a nationally recognized laboratory and must be suitable for the intended application. The approved system may or may not incorporate automatic shut-off.

Question: How is "suitable for the intended application" determined for fire suppression systems installed on mobile equipment to meet the requirements of 75.380(f)(2)?

Answer: The approval or listing by a nationally recognized independent testing laboratory will be used to determine whether the automatic fire suppression system is suitable for the intended application. The test standard (used for approval or listing) details system design and test performance requirements for these types of systems.

Question: Will rail runners (battery-powered) be required to have fire suppression, or will the presence of a proper size/type extinguisher be adequate to meet 75.380(f)(2)?

Answer: Hand-held fire extinguishers are unacceptable. Must have automatic and manual fire suppression system.

Question: Do 3 wheelers and 4 wheelers that travel intakes have to have fire suppression installed?

Answer: Yes, if the intake is a primary escapeway.

Question: Can mobile mantrips without automatic fire suppression system be used in primary escapeways?

Answer: No, not in areas of mines developed after November 15, 1992.

Question: Does management need to show what equipment will be
used in the primary escapeway on the ventilation plan?

Answer: No.

Question: It is required by law that a lifeline be in the escapeway?

Answer: No.

Question: Does "mobile equipment" refer to battery track equipment, or scoops that may be used in the intake?

Answer: Yes.

Question: Can present equipment without fire suppression systems be used in primary escapeways developed prior to the effective date of these regulations?

Answer: Yes.

Question: Is there a description or set of guidelines for the required fire suppression systems for electric and diesel track equipment required under this provision? This will include small jeeps, jitney's, and rail runners? Is MSHA aware of a supplier? If an operator has not been able to purchase and install a fire suppression system of the type described by the effective date, will he be subject to separate violations for each piece of track equipment or will MSHA issue a single violation?

Answer: MSHA has issued a policy statement to address questions regarding the interpretation and enforcement of sections 75.380(f)(1) and (f)(2).

Question: Will primary escapeway have to be changed from track entry due to requirements that no diesel equipment, transformer stations, battery charging stations, water pumps, etc. being in these entries?

Answer: No. Fire suppression systems are required on mobile equipment used the primary escapeways developed after the effective date. Also, section 75.380(f)(1) prohibits certain equipment from being located or operated in the primary escapeway.
Question: What systems are available to be installed on equipment which is used in the intake escapeways?
Answer: No permissible systems are currently available. Non-permissible systems are available from several manufacturers. Refer to the MSHA Program Policy Letter on 75.380(f).

Question: After November 15, 1992, what part of the mine escapeways will be required to be upgraded?
Answer: Section 75.380(f)(1) and (f)(2) apply to areas developed after the effective date but escapeway dimensions were not grandfathered and apply throughout the mine.

Question: Can mobile diesel equipment such as diesel mantrips be allowed in primary escapeways?
Answer: Yes.

Question: Primary escapeway. The primary escapeway shall not contain diesel or electrical equipment described in 75.340(a) or 75.340(b) except (ii) haulage equipment necessary for the transportation of persons and materials. Please define materials.
Answer: Material and equipment used in the mining process.

Question: Will battery-powered mantrips be required to have fire suppression systems when used in the primary escapeways?
Answer:

Question: Is a personnel carrier (jitney) charger permitted in the primary escapeway when it is required to transport men, i.e. a 3 entry longwall development (6000 feet)?
Answer:

Question: MSHA requires the fire control components of dry powder chemical fire suppression systems be of a type listed by a nationally recognized testing laboratory approved by the Secretary (UL and FM)? Please clarify the
components we are speaking of such as the actuator, chemical tank etc?

**Answer:** The words "approved by the Secretary" do not appear in paragraph (f)(2). Non-permissible systems which are listed or approved by a nationally recognized independent testing laboratory are marketed and are available from several manufacturers.

**Question:** Are you allowed to take a personnel carrier up and down the belt line if not equipped with automatic fire suppression?

**Answer:** Yes, paragraph (f)(2) applies only to primary escapeways developed after the effective date.

**Question:** How do you envision compliance with this section for longwall recoveries when shields are pulled from both sides?

**Answer:** When the primary and alternate escapeways are located at the headgate side of the longwall, a travelway is required on the tailgate side of the longwall. Also, section 75.384 requires the travelway on the tailgate side located to follow the most direct and safe practical route to a designated escapeway. Concerning escapeways, escapeways are required whenever equipment is being removed, 75.380(b)(1).

**Question:** Can diesel equipment be used to clean up a roof fall in the primary escapeway?

**Answer:** Yes, 75.380(f)(1)(i) allows equipment necessary to maintain the primary escapeway in safe travelable condition to be in the escapeway. Note that 75.380(f)(2) requires mobile equipment used in the primary escapeway to be equipped with an automatic multipurpose dry powder type fire suppression system.

**Question:** Do portable fire suppression systems, which are dry powder and portable comply with requirement to provide mobile equipment with fire suppression?

**Answer:** No, hand-held fire extinguishers are not acceptable for compliance with paragraph (f)(2). System must be automatic, suitable for the purpose, and approved or listed by a nationally recognized testing lab.
Question: Small mine, single split of air, one row of stoppings. It is my understanding that I can haul miners but cannot haul coal. This will require small mines to have 2 intakes or haul coal in return.

Answer: Face haulage equipment, such as scoops used for coal haulage, can be operated in the intake escapeway, in this small mine where the loading point is outside.
75.382

Question: Does this regulation require that a person physically ride the conveyance?

Answer: No. The regulation requires that at least once each week, the hoist be run by a qualified hoisting engineer through one complete cycle of operation to verify that the facility is operational. This does not mean a person has to ride the hoist. Miners should not ride the conveyance until the test cycle demonstrates that the conveyance is in good working order.

Question: If a device used to carry persons cannot be tested to see if brakes are adequate to stop conveyance when fully loaded, can the conveyance still be used?

Answer: Section 75.382(b) requires the device be equipped with brakes that can stop fully loaded platforms, etc.

Question: May Part 90 miners or certain other miners be excused from traveling escapeways?

Answer: No. Each and every miner must participate in escapeway drills to comply with the regulation, without exception.

Question: Is the current requirement for approval of escape hoists eliminated?

Answer: Section 75.382 requires no approvals.

Question: Will there be a grace period for mechanical escape facilities?

Answer: No

Question: Do the new regulations replace and completely supersede the 1979 criteria for escape hoists?

Answer: Yes.

Question: Do the results of the examination of mechanical escape
facilities have to be recorded?

Answer: No, but 75.1400-4 requires records of daily examinations of manhoists.

Question: The rule eliminates the requirement of old 75.1704-2(c)(2) and old 75.1801 that the results of the examination be recorded in a book for that purpose. Will there be a detailed record of this examination or just a note it was done during the weekly examinations?

Answer: Does not require the examination to be recorded. Section 75.364 requires in part that hazardous conditions, locations, corrective action taken to be recorded.
75.383

Question: All escapeways maps must be kept up to date. Does this mean kept up to the existing loading point? If no, please define up to date.

Answer: The map posted in each working section, and at a surface location must both be kept up to date in regard to direction of travel, changes in route of travel, locating of any doors, or direction of airflow.

Question: Does "posted" mean maps be stored in first-aid box for immediate access? In a 22 inch coal seam, can the section escapeway map be kept in the first-aid box?

Answer: "Posted" means visible. In the special case of a 22 inch coal seam, it may be acceptable to maintain the map in the first-aid box provided that all miners were aware of the map location.

Question: Define - kept up to date concerning maps. Kept on surface for miners.

Answer: Section 75.383(a) requires in part ... "All maps shall be kept up to date, and any changes in route of travel locations of any doors, or directions of airflow shall be shown on the maps by the end of the shift on which the changes are made, and affected miners shall be informed of changes before entering the underground areas of the mine."

Question: If a stopping with a mandoor is built underground, must this be put on the map by the end of the shift and must all workers in that section be notified that the stopping with mandoor has been completed.

Answer: This information will not have to be put on the map by the end of that shift and miners informed unless the escapeway passes through the door.

Question: Are the escape maps required for 75.383 necessarily certified maps or can they be up-dated by mine personnel.

Answer: Not certified; updated by person designated by the
operator.

Question: When are escapeway maps kept up to date? Does this mean daily, weekly, monthly, or any other monthly time limit?

Answer: Changes in the route of travel in escapeways, location of any doors, or directions of airflow must be shown on the maps by end of the shift in which the changes were made and the miners affected by the change must be informed of the change before entering underground areas.

Question: Does traveling escapeway permit travel in mantrips when primary escapeway is also the travelway.

Answer: Yes.

Question: All miners are required to travel escapeways to surface, etc. The American with Disabilities Act requires operators to make reasonable accommodations for those who cannot perform all work tasks due to a disability. Will MSHA accept any accommodations in lieu of traveling escapeways or will they require all miners to be able to travel escapeways?

Answer: The regulation provides no exceptions. Also, the travel can be by some type of mantrip that meets all other requirements.

Question: Escapeway Drills - how will MSHA monitor compliance with frequency specified?

Answer: By record checks and interviews. Section 75.1101-23 requires drills to be recorded.

Question: Alternate travel between escapeways - how often are you talking about? Weekly, monthly, daily?

Answer: Section 75.383(b)(1) specifies drills once every 90 days and prohibits a drill in the same escapeway as the immediately preceding drill. Sections 75.383(b)(2), and (3) specify 6-week drills which cannot be conducted in the same escapeway as the immediately preceding drill.
Question: Where do outby miners traveling escapeways start from?
Answer: From their work areas. The intent is that miners be familiar with the escapeways from the areas where they normally work.

Question: It states two miners accompanied by the section supervisor - is the supervisor included with the number 2?
Answer: No

Question: The escapeway drill - can we alternate the shifts on the walking of escapeways?
Answer: Yes.

Question: How do we determine what portion of the escapeways must be traveled by persons such as motormen and pumpers?
Answer: They should travel from their most inby work areas.

Question: Do the areas that will be traveled during the escapeway drill have to be preshifted prior to traveling.
Answer: If the drill is scheduled, a preshift is required. If the drill is unscheduled, a supplemental examination would be necessary.

Question: In a single unit mine which is ventilated by a single intake air split to ventilate the primary escapeway, would this section require travel to surface?
Answer: Yes.
75.384

Question: Explain requirements or specifications of "travelway."

Answer: A safe travelable way off tailgate. No width or height is specified. Refer to the description in 75.384 and the preamble.

Question: How can you have a safe travelway off the tailgate through other tailgate entries when being maintained? Please explain this procedure - "other tailgate entries".

Answer: When the two designated escapeways are located on the headgate side of the longwall, a travelway must be provided on the tailgate side. The travelway on the tailgate side does not necessarily have to be the tailgate entry, it can be an adjacent entry or entries as long as it is located to follow the most direct and safe practical route to a designated escapeway.

Question: Define minimum clearances that will be allowed for tailgate travelways.

Answer: There is no minimum requirement. The travelway must provide sufficient height and width to allow miners egress through the tailgate entry.

Question: Do sections 75.384, 75.215, and 75.222 apply when a longwall won't hole out because entries were driven off sights?

Answer: Yes

Question: Does the new rule contain provisions permitting the participation of the miners representative in the longwall tailgate blockage procedures?

Answer: The rule regarding participation of a representative of the miners has not changed. A representative of miners shall be given an opportunity to accompany the MSHA inspector during a physical inspection of the mine.
Question: What happened to the words "or both" and why was it eliminated?

Answer: Except for redesignation as 75.386, there was no change at all as compared to the old 75.1706. Nothing was eliminated.
Question: You stated there is no change from 75.1701. This is not true. Section 75.1701 required 200 feet test drilling in areas of the same mine even if certified when there was known accumulations of water or gas. As I read 75.388 this is no longer required. Am I right or wrong?

Answer: Wrong. Section 75.1701 requires boreholes to be drilled when within 200 foot of any other abandoned areas of the mine which cannot be inspected and which may contain dangerous accumulations of water and gas. Any other abandoned areas means areas not shown by surveys done by certified engineer. Section 75.388 requires the same things, but it is stated more clearly.

Question: Are oil and gas well cut-throughs going to be addressed later or are they still going through the petition process?

Answer: The applicable regulation, 75.1700, has not been changed.

Question: Section 75.388(f) states that if mining is to be conducted within 50 feet above or below an inaccessible area of another mine, boreholes shall be drilled, as necessary, according to a plan approved by the district manager. What should the pattern be and should all holes penetrate the overlying or underlying workings?

Answer: "As necessary" is a broad term which requires the district manager to exercise judgement in approving a plan suitable and adequate for the particular conditions at the mine.

Question: If the person submitting the plan information is a consultant not employed by the company on a full time basis, would the operator be required to file an authorization letter, the consultant be required to get an ID number as an independent contractor, or would he only be required to provide his name as the individual submitting the plan information?

Answer: Section 75.371 requires that the plan contain the name
of the individual submitting the plan. Since the operator is responsible for compliance, the operator is responsible for plan submission regardless of how the plan was developed.

Question: Give example of where 50 feet would apply.

Answer: Any area located in the mine as shown by surveys that are certified by a registered engineer or registered surveyor unless the area has been preshifted.

Question: If two mines in the same coalbed have certified surveys that are tied to the same surveys control, are boreholes required within 200 ft. or within 50 ft. of the abandoned workings?

Answer: The standard specifies 200 feet unless the area has been preshifted.

Question: If you can make the adjacent mine, will you still be required to drill when within 200 feet, or if same mine and you can make other area, will you be required to drill?

Answer: No; but it will be necessary to conduct a preshift examination each shift.

Question: When a panel has been developed, retreat mining completed, and the next panel parallel to it is being developed with a barrier of approximately 50 feet between the new panel and the previous panel which cannot now be examined, is drilling ahead required and if so, why?

Answer: Yes. Boreholes must be drilled in each advancing working place when the working place approaches to within 50 feet of any area located in the mine as shown by surveys that are certified by a registered engineer unless the area has been preshift examined. For adjacent panels cut into each other, test drill the initial cut through at top end, then there may be no need to test drill remaining cut throughs, if the alternative drilling pattern has been approved in accordance with paragraph (g). An operator may need to drill if elevations change in such a way that water could accumulate or if some other hazard may be present.
Ventilation Questions & Answers
November 9, 1992

Question: Can MSHA require operators to drill at a distance greater than 200 feet?

Answer: There is normally no need to drill boreholes at distances greater than 200 feet. However, if the information provided does not substantiate the 200 ft. distance, conditions may be such that drilling may be required.

Question: What will be the procedure when an operator has researched an area and finds no abandoned workings but then mines into old workings inadvertently which research had shown was not there?

Answer: Issue a citation for inaccurate map.

Question: If a gateroad in a lower seam is being mined under the gob of an upper coal seam panel, would boreholes be required since the overlying gob area is inaccessible?

Answer: Not unless some particular hazard was anticipated. For example if impounded water was a potential problem, drilling could be required.

Question: If an engineer puts a disclaimer on accuracy of adjacent workings in same mine, does drilling requirements go from 50 feet to 200 feet?

Answer: Yes.

Question: Please explain procedure if intentional dewatering is done on a controlled basis.

Answer: A plan is not required for this purpose.

Question: What spacing is required on boreholes along ribs concerning test holes drilled in search of old works?

Answer: As per 75.388, 8 foot spacing as measured along the ribs, or an alternative plan can be submitted for approval in accordance with 75.388(g).

Question: What plan requirement could be expected (type and amount of drilling) if mining is to be conducted within
50 feet above or below an inaccessible area of another mine?

Answer: It will be tailored to the hazard involved on a mine-by-mine basis.

Question: If air is blowing into a borehole why would it require plugging?

Answer: To ensure that any change in pressures, such as barometric change, does not cause a reversal which could endanger the miners.
Question: Mining into inaccessible areas, must you have a separate plan for each instance of mining into inaccessible areas or does the plan apply to the entire mine continuously, once approved?

Answer: The plan will not provide blanket coverage for the entire mine but in some instances could be applied for with multiples of hole throughs.

Question: If draining a sealed area through a drillhole prior to penetrating that area, is a plan required, or just required when actual penetration occurs?

Answer: This plan is required prior to mining into the area penetrated by the borehole.

Question: Can an operator mine into an adjacent mine for dewatering? The old mine is sealed off and reclaimed.

Answer: This would require approval of a specific plan which is discussed in 75.389.

Question: Does this section apply to routine mine-throughs such as making the connections for the continuation of bleeder systems and connecting to the previous panel during retreat? Does 75.389(c)(2) require mine evacuation for every break through?

Answer: Section 75.389 was not intended to apply to routine second mining systems within the mine where the systems have been approved through the ventilation plan. After the initial connection is made with previously developed panels, this section does not require mine evacuation as each working place is connected. Retreat systems should be depicted and approved through the ventilation plan.
Question: How do the new regulations affect the new books?
Answer: There are no approved books under the new rule. However, some states may have requirements.

Question: Will existing CO levels in approved 101(c) petitions still be valid even though they are in conflict with the regulations?
Answer: There is not conflict. Petitions stand alone while 75.351 regulates AMS used in relationship to 75.323, 75.340, and 75.362.

Question: If a petition exists and standard changed, how much time is given for resubmittal of new petition? Additionally, what happens on the rule's effective date? What happens to petition until new petition is submitted?
Answer: Operators with petitions for modification, that involve the standards revised in this rulemaking, need to determine the status of those petitions before the effective date of this final rule. Operators with modifications granted for sections of this rule, that are renumbered but remain substantially unchanged, will not need to reapply. Petitions for use of belt air in the working place and evaluation of return air courses will remain in effect. Operators with modifications granted for language that has been revised, such as old Section 75.1105, will have two options. They must comply with the new standards or apply for a petition for modification of the new standard. Petitions of the new standards can be filed before the effective date of the rule.

Question: Will belt air be allowed to be used to ventilate a working place if company now has a petition?
Answer: Operators with modifications granted for sections of this rule that are renumbered but remain substantially unchanged will not need to reapply. Each petition for modification which is currently in effect will be reviewed by MSHA to determine its status.