

***Emergency Mine Evacuation
Final Rule Questions & Answers
May 3, 2007***

GENERAL

Q1. Does this final rule completely replace or supercede the Emergency Temporary Standard (ETS) published in the Federal Register on March 9, 2006?

A. Yes.

Q2. Does this final rule supercede the Emergency Response Plan required by the MINER Act (MSHA Program Policy Letter P06-V-10)?

A. No, the emergency response plan is still required but certain sections are addressed by the final rule.

Q3. When does the final rule take effect?

A. The final rule was effective immediately upon publication in the Federal Register on December 8, 2006. There are specific compliance dates for certain items, such as 60 days from the date of publication to submit revised training plans. For certain equipment not addressed in the specific compliance dates, such as SCSRs, multi-gas detectors, etc, that may be in short supply and back ordered, the mine operator must have executed a purchase order to procure this equipment within 30 days of publication and must make a good-faith effort to obtain and deploy this equipment as soon as practicable.

TRAINING

Q1. Do I need to modify my Part 48 training?

A. Yes, MSHA changed the SCSR training protocol by removing the option allowing miners to simulate the insertion of the mouthpiece while explaining the task.

Q2. Has MSHA developed a Part 48 training plan addendum for modifying the SCSR training covering insertion of the mouthpiece?

A. Yes, MSHA has developed an addendum that was mailed to all underground coal mine operators. In addition, this addendum can be downloaded at www.msha.gov . By attaching the addendum to the existing MSHA-approved training plan and submitting a copy to the appropriate District Manager, you will be in compliance with this requirement.

Q3. How much time do I have to submit the Part 48 training plan modification and the revised §75.1502 mine emergency evacuation and firefighting program of instruction?

A. The training plan and mine emergency evacuation and firefighting program of instruction modifications should have been submitted to the appropriate District Manager within 60 days of publication of the final rule.

Q4. When do I need to start training after receiving approval of my Part 48 training plan and mine emergency evacuation and firefighting program?

A. You must complete training within 30 days of receiving approval.

Q5. Can miners receive SCSR donning and transferring training in Part 48 annual refresher training and credit that training for one of the quarterly SCSR drill requirements under § 75.1504?

A. No, after receiving new or experienced miner training, underground coal miners will receive SCSR donning and transferring training under Part 75, emergency mine evacuation training and drills, rather than under Part 48 annual refresher training. Independent contractors who do not participate in mine emergency evacuation drills conducted under Part 75 must continue to receive SCSR donning and transferring training under § 48.8, annual refresher training, and § 48.11, hazard training.

Q6. After receiving notice that the realistic SCSR training units are available, how long do I have to purchase the units and start training?

A. MSHA announced the availability of these units on March 30, 2007, and mine operators must have purchased these units or have a valid purchase order for them by April 30, 2007. Training must be conducted within 60 days of receipt of the units.

Q7. When is a newly hired miner required to complete an evacuation drill under §75.1504?

A. A newly hired miner, who has not participated in a mine emergency evacuation training and drill at the mine within the previous 3 months, must participate in the next applicable mine emergency evacuation training and drill.

Q8. When must I complete the first quarterly emergency mine evacuation training and drill?

A. The initial quarterly mine emergency mine evacuation training and drill must have been completed by March 31, 2007.

Q9. In addition to the quarterly mine emergency evacuation training and drills, are the practice escapeway drills still required by § 75.383?

A. No, the final rule transfers existing requirements from § 75.383(a) to a new § 75.1505 and combines § 75.383(b) and ETS § 75.1502(c) into a new, improved and expanded § 75.1504. Therefore, § 75.383 is no longer necessary and is removed in the final rule.

Q10. The mine emergency evacuation training and drills in the ETS are changed from every 90 days to quarterly in the final rule. How is this different?

A. Operators have the flexibility to conduct quarterly mine emergency evacuation training and drills during the first, second, or third month of the quarter. Quarters are based on a calendar year:

1 st quarter	January - March
2 nd quarter	April - June
3 rd quarter	July - September
4 th quarter	October - December

The month in which a miner completes mine emergency evacuation training and drills, in effect, becomes that miner's "anniversary" month for the quarterly training.

For example, a miner receiving quarterly mine emergency training and drills in January, the first month of the first quarter, is required to complete the second quarterly training no later than the end of April, the first month of the second quarter. If a miner completes the training before that miner's anniversary month, then the month the training and drills are completed establishes a new anniversary month for subsequent training and drills. This is consistent with MSHA policy for Part 48 annual refresher training.

Q11. How soon must I provide expectations training for a newly hired miner?

A. Newly hired miners must participate in annual expectations training within one quarter, that is, by the end of the following quarter, of being employed at the mine. This also applies to a miner returning to work after an absence.

For example, a miner hired in January, the first month of the first quarter, must receive expectations training no later than June, the last month in the second quarter.

Q12. What is annual expectations training?

A. Expectations training includes donning and transferring an SCSR in smoke, simulated smoke, or an equivalent environment. It also requires breathing through a realistic SCSR training unit or an equivalent device that provides the actual sensation of SCSR airflow resistance and heat.

Q13. Must a mine operator use specific SCSR expectation trainer that is compatible with the SCSRs in use at the mine?

A. Each SCSR device is different from the others in the amount of heat and/or resistance that may be generated during use. In addition, the feeling of each mouthpiece and nose clip is different for each device and this may also be a factor in providing realistic expectations training. Because the purpose for expectations training is to familiarize miners with what to expect when using an actual SCSR during an emergency, the training device needs to provide a sensation which is the same as that of the SCSR device in use at the mine.

Q14. What if a mine operator uses or plans to use more than one type of SCSR at the mine?

A. The purpose of expectations training is for miners to experience the sensation of using a realistic SCSR to increase their confidence in the use of their SCSRs in the event of an emergency. If more than one type of SCSR is used at a mine, and the operator cannot determine in advance which type of SCSR a miner would encounter and/or use, the annual expectations training should involve a realistic experience for each type of SCSR the miner might use in an emergency.

Q15. Are special goggles that simulate visibility in a smoky environment acceptable to meet the smoke training requirements of § 75.1504(c)?

A. Yes.

Q16. Is expectations training in addition to the requirement to conduct SCSR donning and transferring quarterly?

A. No, expectations training can be used to comply with one of the quarterly drill requirements for donning and transferring SCSRs.

Q17. Under the final rule, what does “travel” mean?

A. Travel can be any means of conveyance, including mantrips, mobile equipment, walking or crawling.

Q18. Are foremen required to receive additional training?

A. Yes, section or outby foremen must travel both escapeways in their entirety prior to assuming duties on the section or outby work location. This also includes walking portions as necessary to focus on unique and lifesaving features. MSHA considers that this requirement is satisfied if the foreman has traveled both escapeways within the previous quarter.

Q19. Does a foreman who is only filling in for a single shift have to have traveled both escapeways?

A. Yes, mine operators are advised to cross-train their foremen each quarter.

Q20. What if the foreman has traveled both escapeways within the previous quarter but the section has advanced about 2,000 ft. since these escapeways were traveled?

A. This foreman would only have to travel the portion to the escapeways that have resulted from the advancement. Short advances of less than 600 feet may be ignored unless there is some unique feature that would impact an emergency evacuation.

Q21. Have the hands-on SCSR training requirements changed?

A. Yes, in addition to the requirement that the insertion of the mouthpiece cannot be simulated, the training must emphasize the importance of:

- Recognizing when the SCSR is not functioning properly and demonstrating how to initiate and reinitiate the starting sequence (cold start);
- Not removing the mouthpiece, even to communicate, until the miner reaches fresh air; and
- Proper use of the SCSR by controlling breathing and physical exertion.

This emphasis reflects good, ongoing training practice.

Q22. Has scenario training changed in the final rule?

A. Yes, the final rule requires a discussion of options and a decision as to the best option for evacuation under each of the various mine emergencies. In addition, the final rule emphasizes the importance of discussing unique escapeway conditions that may be encountered while evacuating a mine, such as traversing undercasts or overcasts and switching escapeways.

Q23. What changes do I need to make to my mine emergency evacuation and firefighting program of instruction?

A. The instruction plan needs to include language outlining how you will instruct miners:

In the proper use, care, and maintenance of self-rescue devices, including hands-on training in the complete donning and transferring of all types of self-rescue devices used at the mine.

On the various options for evacuation and a decision as to the best option for evacuation under each of the various mine emergency scenarios (fires, explosions, or gas or water inundations). These options should include:

- Conditions in the mine or circumstances that require immediate donning of self-rescue devices;
- Using continuous directional lifelines or equivalent devices, tethers, and doors;
- Traversing undercasts or overcasts;
- Switching escapeways, as applicable; and
- Negotiating any other unique escapeway conditions.

On the mine map; the escapeway system; the escape, firefighting, and emergency evacuation plans in effect at the mine; and the location of abandoned areas.

The instruction plan must also describe how miners will receive annual expectations training that includes:

- Practical experience in donning and transferring SCSRs in smoke, simulated smoke, or an equivalent environment and
- Breathing through a realistic SCSR training unit or device that provides the sensation of airflow resistance and heat.

Q24. Have the certification requirements for training and drills changed?

A. Yes, in addition to the existing requirements, the final rule requires a certification for:

- Foremen required to travel both escapeways prior to assuming duties on a section or outby location; and
- Quarterly expectations training.

The final rule clarifies that the certification be made at the completion of each quarterly drill, annual expectations training, or other training and must list the content of the drill completed, including the escapeway traveled and scenario used.

The final rule also adds a requirement that the operator provide each miner a copy of the certificate for his or her own training when the miner requests a copy. This requirement reflects industry practice to provide the miner access to and a copy of his or her training record at no cost to the miner.

Q25. I know that we have to include insertion of the SCSR mouthpiece, but we don't have to do that until the "realistic" training units become available and are announced in the Federal Register, right?

A. No, insertion of the mouthpiece must be done as a part of all quarterly SCSR donning drills.

Q26. Can we use a separate SCSR mouthpiece for the quarterly insertion training or do we have to use the mouthpiece on the training unit?

A. Yes, a separate personal or disposable mouthpiece may be used for insertion training.

Q27. We have concerns about the insertion of the training SCSR mouthpiece as a potential health hazard for communicable diseases.

A. Any shared mouthpiece should be thoroughly disinfected between uses. The former U.S. Bureau of Mines developed a protocol to address this hazard in Information Circular IC 9236, "Cleaning, Disinfecting and Sterilizing Self-Contained, Self-Rescuer Mouthpiece Assemblies Used in Hands-On Training," 1989. As an alternative, disposable or personal mouthpieces may be used for this training.

Q28. Do independent contractors need to revise their training plans?

A. Yes, the Part 48 training plan must be modified to include insertion of the SCSR mouthpiece.

Q29. Who is responsible for providing the additional SCSRs, maintaining those SCSRs and training the independent contractors?

A. MSHA will assign responsibility between operators and contractors consistent with its general enforcement policy in assigning compliance responsibility. That policy is found in Volume III of the Program Policy Manual which is posted on the agency's website, www.msha.gov under "FOIA Reading Room." The availability of SCSRs is an aspect of the final mine emergency

evacuation rule as well as the Emergency Response Plan (ERP) required of underground coal mine operators by the new MINER Act. Generally, the agency anticipates looking first to the production operator on overall plan features since the plan is developed by the operator and plan components such as storage location and quarterly drills training involve an active mine in its entirety. The independent contractor, however, may provide certain features such as personal equipment. Individual determinations will be based on the particular facts.

IMMEDIATE NOTIFICATION

Q1. What has changed from the ETS?

- A. For § 50.10, immediate notification, there are three changes: 1) the operator contacts MSHA solely at the toll-free number; 2) the rule spells out that the operator is to contact MSHA once the operator knows or should know that an accident has occurred; and 3) the loss of communications exception has been removed.

For § 50.2(h), definition of “accident,” there are two changes: 1) reportable entrapments ((h)(3)) now include those which have a reasonable potential to cause death; and 2) reportable mine fires ((h)(6)) now include unplanned underground fires that cannot be extinguished within 10 minutes of discovery.

Q2. What is the toll-free number?

- A. 1-800-746-1553 is currently the same toll-free number that was listed in the ETS and prior rule.

Q3. Will calling the toll-free number take care of notifying the agency district office and field office?

- A. Yes, the toll-free number is now part of a central system operated for the Department of Labor. You must call the toll-free number to officially notify the agency. The central service will assure that information is conveyed to the appropriate MSHA office. Thus, for purposes of notification, “one call does it all.”

Q4. Will these phone calls be recorded?

- A. Yes, the calls will be recorded to correctly capture the information related to the accident and to verify compliance.

Q5. An operator must contact MSHA “once the operator knows or should know that an accident has occurred.” What does that mean?

A. The final rule refers here to what has been a governing legal standard under the ETS and prior rule. An operator is held responsible to know about an accident in those situations where a reasonable person under the circumstances would know about the accident. Also, by including the “once the operator knows or should know” standard, the rule indicates what triggers the operator’s responsibility to report.

Q6. If I must act to save a life or I have lost communications and I do not contact MSHA within 15 minutes, will I be penalized by the agency?

A. No, if you respond in an acute emergency situation to save a life or it is impossible for you to notify MSHA within 15 minutes due to downed communications, the agency will take that into account and not pursue enforcement against you. In those situations, MSHA expects that you will notify the agency as soon as possible.

Q7. Will I be penalized if I notify the agency of what may be a serious accident and then determine that it was not as serious as initially thought?

A. Reasonable, good faith notification of accidents is not penalized. If a verbal 103(k) order is issued, it may be lifted when the more complete information is communicated to the District Manager.

Q8. When do the penalties imposed per the MINER Act apply for failure to timely notify?

A. These penalties apply in situations involving certain types of accidents specified in the MINER Act. Those accidents fall under § 50.2(h)(1), (2) and (3), concerning deaths and injuries and entrapments which have a reasonable potential to cause death, respectively.

Q9. Am I required to report incidents of spontaneous combustion and equipment or trash fires as accidents under § 50.2(h)(6)? What about “hot work?”

A. Unplanned underground fires that cannot be extinguished within 10 minutes of discovery of any origin or in any locale must be reported. This excludes “hot work” projects, such as welding, which are planned.

LIFELINES

Q1. What has changed from the ETS?

- A. There are essentially two changes in the final rule for lifelines. Lifeline cords must be MSHA-approved as flame-resistant in accord with Part 18 upon replacement of existing lifelines, but in no case later than June 15, 2009. Also, when cones are used as directional indicators, they must be installed so that the tapered section points inby.

Q2. What materials will meet the requirement for flame-resistance?

- A. MSHA will approve a lifeline material as flame-resistant if it meets the test procedure described at § 18.65.

Q3. Is steel cable the only acceptable material for lifeline cords?

- A. No, please see the previous question.

Q4. If I have already installed lifelines with cones pointing outby, will I be required to change them?

- A. Yes, all cone-type directional indicators must comply with the convention of the tapered end of the cone pointing inby. This standard convention will eliminate the possibility of confusion for miners who move from one mining company to another.

Q5. What methods are available to protect the lifeline from damage when installed in an escapeway where mechanized mining equipment regularly travels?

- A. MSHA agrees that care needs to be taken when lifelines are installed in escapeways that are also used as travelways for mechanized mining equipment. Installation techniques and fixtures are available from the manufacturers of prefabricated lifeline cords that will permit lifelines to be protected from damage from mobile equipment while still being readily available to miners during emergencies.

Q6. Are additional tactile indicators necessary if the lifeline is attached directly to the SCSR storage box [§ 75.380(d)(7)(vi)]?

- A. No, however, additional tactile indicators are necessary when tag lines from the main life line are attached to the SCSR storage location. In all cases, the escaping miners must be able to easily locate the stored SCSRs during a limited visibility escape.

ADDITIONAL SELF-CONTAINED SELF-RESCUERS (SCSRs)

Q1. What has changed from the ETS?

- A. The principal changes to the SCSR regulations are: 1) revised methods for determining outby SCSR storage locations and 2) removing the requirement to provide an outby storage plan to the District Manager. The revised methods incorporate the spacing change in the storage of outby SCSR in the escapeways every 30 minutes as mandated by the MINER Act, rather than every 60 minutes. Additional changes allow the sharing of stored SCSR between adjacent escapeways in a hardened room and include requirements that emergency tethers be stored with the additional SCSR required at fixed work locations and on mobile equipment, that a multi-gas detector which can measure carbon monoxide, oxygen and methane be provided for each group of miners including miners who work alone, and that operators report SCSR inventories and defective SCSR.

Q2. Are additional SCSR required for management and visitors?

- A. Yes, the number of stored SCSR required by § 75.1714-4 must be adequate to accommodate all persons, including visitors, during a mine emergency.

Q3. What is the requirement for additional SCSR under § 75.1714-4(a)(1) ?

- A. At least one additional SCSR, which provides protection for a period of one hour or longer, must be stored near each person at a fixed underground work location. A fixed underground work location is a working section, location where mechanical mining equipment is being installed or removed or any other location or area in the mine where people normally work. A fixed work location is limited to an area bounded by a distance that may be walked by the average miner within 15 minutes. Miners who normally walk or travel distances that are greater than may be walked by the average miner in 15 minutes do not have a fixed work location.

Q4. Many of the outby workers such as beltmen work in or near the escapeways. Do these workers need additional SCSR under § 75.1714-4(a)(1) or may they use the SCSR stored in the escapeways under § 75.1714-4(c)?

- A. The SCSR stored in the escapeways may be used to satisfy § 75.1714-4(a)(1) if these locations are readily accessible to these workers and these locations are near the work locations. Outby workers who work in or around the escapeways should be within 15 minutes walking distance from one of the two nearest SCSR storage locations.

Q5. Do the SCSRs stored in the escapeways under § 75.1714-4(c) satisfy the additional SCSRs required by § 75.1714-4(a)(1) since these outby locations are only 30 minutes walking distance from the working section?

A. No, these locations are not near enough to provide critical backup units for miners on the working section during an emergency evacuation. Every miner should have two SCSRs that are readily accessible. These two SCSRs will normally consist of the primary SCSR required under § 75.1714-2 and the additional SCSR required by § 75.1714-4(a) or (b).

Q6. How many SCSRs must be stored in the bleeders and other travel routes used by pumpers and examiners under § 75.1714-4(a)(2)?

A. Enough SCSRs must be stored in these areas to accommodate the maximum number of persons who normally travel these routes. For occasions where larger crews are needed for specific jobs, additional SCSRs may be carried into these areas for temporary coverage.

Q7. Why are additional SCSRs required on mantrips and mobile equipment?

A. A mine emergency that requires immediate evacuation could occur during travel into or out of the mine on a mantrip or on mobile equipment.

Q8. Are additional SCSRs required on pick-up trucks, scoops, diesel ramcars, etc.?

A. All mobile equipment that travels into and out of the mine must have an additional SCSR for each person who may operate and/or ride on that unit. Scoops, ramcars, etc. that normally stay at or near the working section are not required to contain an additional SCSR, but an additional SCSR must be available to the operator with the SCSRs stored on the section.

Q9. How many SCSRs are required to be stored on mantrips, pick-ups, etc?

A. One SCSR for each person operating or riding the mantrip or mobile unit must be stored on that unit. MSHA suggests that the number of SCSRs stored on the vehicle equal the maximum passenger capacity of the vehicle.

Q10. Can the additional SCSRs required by § 75.1714-4(a) be kept on the mantrip?

A. Yes, if the mantrip remains on the working section. If the mantrip leaves the section during the shift, any stored SCSRs must be offloaded and stored on the section. If the SCSRs are offloaded, a separate SCSR for the operator must be stored on the unit, if the unit is driven from the section.

Q11. Can more SCSRs be stored on the mantrips and on the working sections to eliminate additional handling?

A. Yes, these are minimum requirements; the mine operator may store more than the required number of units.

Q12. Are the SCSRs that are currently stored on the working section and mantrips under a § 75.1714-2(e) approved plan affected by the final rule?

A. No, the SCSRs stored under the § 75.1714-2(e) plan are required to provide a level of protection that is equivalent to the primary SCSR that is normally worn. The additional SCSRs required by the final rule are in addition to the primary SCSR.

Q13. Are additional SCSRs required to be stored in the escapeways?

A. Yes, if each person underground cannot evacuate the mine safely within 30 minutes, the final rule requires that additional SCSRs must be stored in the primary and alternate escapeways.

Q14. How is the distance between SCSRs stored in escapeways determined?

A. There are two options for determining the distances between storage locations: 1) determine the distance that a typical miner can walk in 30 minutes using a sample of typical miners to walk a typical length of the escapeway [§ 75.1714-4(c)(2)(i)], or 2) use the table of distances in § 75.1714-4(c)(2)(ii).

Q15. If the average grades in my mine are greater than 5% uphill, how do I determine the distance between SCSRs?

A. Mines with escapeway grades greater than 5% uphill must conduct functional tests as described in § 75.1714-4(c)(2)(i).

Q16. What if the escapeway crosses a fault and has a grade that exceeds 5% for a distance of 3 crosscuts (300 ft.). Can the table in § 75.1714-4(c)(2)(ii) still be used to determine SCSR spacing?

A. If the average grade between the SCSR storage locations (total vertical distance divided by total horizontal distance) is 5 percent or less the table may be used.

Q17. What if the average grade is a negative 8 percent (downhill)?

A. The table in § 75.1714-4(c)(2)(ii) may be used. The limitation on grade is for positive grades (uphill) because of increased oxygen demand. Reasonable negative grades do not preclude use of the table. However, extreme grades

(both uphill and downhill) that impede normal walking speeds should be considered when determining the spacing of SCSRs.

Q18. What is a typical sample of miners?

A. A typical, or representative, sample of miners is a cross-section of the population of all miners who would have to evacuate the mine and use the SCSRs stored in the escapeways. In other words, the sample should include miners of various ages, weights, levels of physical fitness, and smoking habits.

Q19. Can I use statistical techniques such as random sample selection and confidence intervals of the mean to develop and verify that I have a typical average distance?

A. Yes.

Q20. What is a typical length of the escapeway?

A. A typical length of the escapeway is a portion of the escapeway that has entry height, slope, and underfoot conditions similar to the entire escapeway.

Q21. How long is a typical length of the escapeway?

A. This distance should be long enough so that all miners can walk for 30 minutes. The covered distance should be measured and documented for each miner along with the relevant demographic information to substantiate this average distance determination.

Q22. How is this average distance calculated?

A. Add up the total distances that are walked in 30 minutes and divide that sum by the number of miners in the sample.

Q23. State regulations require SCSRs to be stored in the escapeways at specific distances. Do we have to store SCSRs at both the state locations and at the locations required by the final rule?

A. MSHA will apply the provisions of § 75.1714-4(c) when determining SCSR storage locations.

Q24. How many SCSRs must be stored in the escapeways for emergency evacuation?

A. A sufficient number of SCSRs must be stored in each of the primary and alternate escapeways to provide a replacement SCSR for each person evacuating the mine and spaced at intervals determined by the distance that the average miner can walk in 30 minutes.

Q25. Do the stored SCSRs have to be inspected and maintained?

A. Yes, inspection, testing, maintenance, repair and recordkeeping requirements for all SCSR devices is addressed in § 75.1714-3. These requirements have not changed. Interactive training regarding the care and maintenance of selected SCSR units is available on MSHA's web page under Education and Training, Interactive Training Products.

Q26. How often should the stored SCSRs be inspected or tested?

A. The stored units must be inspected and tested as specified by the equipment manufacturer in the MSHA/NIOSH approval documents.

Q27. How are SCSRs handled for mines that “hot seat change” at the face?

A. Individual miners must still bring their SCSRs with them. Mantrips must have enough SCSRs to cover all passengers and the operator. If the mantrip leaves the section with its SCSRs, those miners on the section must be protected by an additional SCSR. In a typical “hot seat change,” additional SCSRs must be stored on the section because the SCSRs on the mantrip will not stay at the section.

Q28. What about the outby storage locations when “hot seat changes” are made at the face?

A. A sufficient number of SCSRs are required to be stored in the escapeways to provide sufficient oxygen for evacuation for all persons in the mine. Since both crews would be at the face during the “hot seat” changes, SCSRs for both crews must be stored outby if it takes longer than 30 minutes to evacuate the mine.

Q29. Are tethers, or tag lines, required to be stored with the SCSRs in the escapeways?

A. No, tethers are required to be stored with the additional SCSRs specified in § 75.1714-4(a)(1) and (b) because these locations will be where crews will muster prior to starting an evacuation.

Q30. What are the specifications for tethers?

- A. There are no specific requirements for the tethers other than a performance requirement that they be durable and permit the members of a mine crew to link together during a mine evacuation. Different mine heights and other conditions may dictate spacing of clips and other parameters.

Some mines have expressed an interest in individual tethers that will be worn by each miner and clipped together for evacuation. These are acceptable in lieu of having all such tethers stored. At least one individual tether must be stored with the SCSRs. Additional caution is needed to keep these worn tethers from becoming entangled in moving equipment and belts.

Q31. Do examiners, pumpers, and outby crews need tethers?

- A. Tethers have value only when two or more miners evacuate together. Persons working alone and who may have to evacuate the mine by themselves do not require tethers. Outby crews who may work alone but may assemble for evacuation purposes would need access to tethers.

Q32. How many tethers will be required in mines that have “hot seat changes”?

- A. Enough tethers must be provided for all crews that may have to evacuate the mine if a disaster occurred during a shift change.

Q33. Are tethers required to be stored on all pieces of mobile equipment that enter and exit the mine?

- A. No, only mobile equipment that normally carries more than one person would need a tether.

Q34. Do the multi-gas detectors required by § 75.1714-7 have to be worn by the affected miners?

- A. No, these units must be readily available for use in determining when to don an SCSR. If these units are stored, they must be maintained in a charged and immediately useable state.

Q35. Are several miners who work individually but are normally located within a maximum of 5 minutes walking distance from all other miners in this group each required to have a multi-gas detector?

- A. No, if it is practical and logical for these miners to quickly assemble prior to evacuation, only one multi-gas detector is required for this group.

Q36. What training on the use of multi-gas detectors is required for miners working alone?

A. Miners working alone must be trained to take gas readings and to interpret the readings. MSHA expects that miners will be provided hands-on training in the use of multi-gas detectors and provided with information on how to use the gas readings to decide when to don SCSRs.

Q37. Will I be able to view and print a report for my SCSRs?

A. Yes.

Q38. Will I be able to edit my SCSR inventory information?

A. Yes, users will be able to Create, Update and/or Delete the following information for each of their SCSRs:

- a. The manufacturer
- b. The model type
- c. The date of manufacture, and
- d. The serial number.

Q39. If I don't have a computer, how can I submit my SCSR inventory to MSHA?

A. Mine operators may also submit inventory information by mail using a form provided by MSHA.

Q40. How often do I need to update my SCSR information in the MSHA database?

A. In the event that a change in the inventory occurs, a mine operator needs to report the change to MSHA within the quarter that the change occurs.

Q41. What types of problems with SCSRs need to be reported to MSHA?

A. Mine operators must report any defect, performance problem including usage and training, or malfunction with the use of an SCSR. The report must include a detailed description of the problem. Problem units must be preserved and retained for 60 days after reporting to MSHA.

Q42. If an SCSR is damaged does it need to be reported to MSHA?

A. No, but the SCSR needs to be removed from the MSHA SCSR inventory database.

Q43. How should I preserve a defective SCSR unit?

A. Seal the defective SCSR in a plastic bag.

Q44. How much time does the operator have to report problems under § 75.1714-8(b)?

A. MSHA expects timely reporting of SCSR problems. The 60-day SCSR retention period does not start until the problem is reported to MSHA.