

## § 57.5041

of detection and shall identify the errors and indicate the date the corrections are made.

(4) The operator's records of individual exposure to concentrations of radon daughters and copies of "Record of Individual Exposure to Radon Daughters" (Form 4000-9) or acceptable equivalent form or true legible facsimiles thereof (microfilm or other), shall be retained at the mine or nearest mine office for a period as specified in paragraph 9.8, ANSI N13.8-1973, or shall be submitted to the Mine Safety and Health Administration. These records, if retained by the operator, shall be open for inspection by the Secretary of Labor, his authorized representative, and authorized representatives of the official mine inspection agency of the State in which the mine is located. Paragraph 9.8, ANSI N13.8-1973, is incorporated by reference and made a part of this standard. ANSI N13.8-1973 may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration, and may be obtained from the American National Standards Institute, Inc., at 25 W. 43rd Street, 4th Floor, New York, NY 10036; <http://www.ansi.org>.

(5) Upon written request from a person who is a subject of these records, a statement of the year-to-date and cumulative exposure applicable to that person shall be provided to the person or to whomever such person designates.

(6) The blank form entitled "Record of Individual Exposure to Radon Daughters" (Form 4000-9) may be obtained on request from any MSHA Metal and Nonmetal Mine Safety and Health district office.

NOTE: To calculate an individual's exposure to WLM for a given period of time, multiply the total exposure time (hours to the nearest half-hour) in an active working area by the average concentration of airborne radon daughters for the applicable active working area (average working level calculated to the nearest hundredth working level) and divide the product by the constant 173 hours per month.

An average airborne radon daughter concentration for a designated active working area shall be determined by averaging all sampling results for that working area during the time that persons are present. Any sample taken by Federal or State mine inspectors, which represents exposure to min-

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ers and reported to the operator within three days of being taken, shall be included in the average concentration; except that if the mine operator samples simultaneously with the inspector, he may use his own sample results.

[50 FR 4082, Jan. 29, 1985, as amended at 60 FR 33723, June 29, 1995; 60 FR 35695, July 11, 1995; 71 FR 16667, Apr. 3, 2006]

### § 57.5041 Smoking prohibition.

Smoking shall be prohibited in all areas of a mine where exposure records are required to be kept in compliance with standard 57.5040.

### § 57.5042 Revised exposure levels.

If levels of permissible exposures to concentrations of radon daughters different from those prescribed in 57.5038 are recommended by the Environmental Protection Agency and approved by the President, no employee shall be permitted to receive exposures in excess of those levels after the effective dates established by the Agency.

### § 57.5044 Respirators.

In environments exceeding 1.0 WL, miners shall wear respirators approved by NIOSH for radon daughters prior to July 10, 1995 or under the equivalent section of 42 CFR part 84 and such respirator use shall be in compliance with § 57.5005.

[60 FR 30400, June 8, 1995]

### § 57.5045 Posting of inactive workings.

Inactive workings in which radon daughter concentrations are above 1.0 WL, shall be posted against unauthorized entry and designated by signs indicating them as areas in which approved respirators shall be worn.

### § 57.5046 Protection against radon gas.

Where radon daughter concentrations exceed 10 WL, respirator protection against radon gas shall be provided in addition to protection against radon daughters. Protection against radon gas shall be provided by supplied air devices or by face masks containing absorbent material capable of removing both the radon and its daughters.

### § 57.5047 Gamma radiation surveys.

(a) Gamma radiation surveys shall be conducted annually in all underground