

**§ 57.5067**

**30 CFR Ch. I (7–1–06 Edition)**

(b) was delayed pending disposition of current litigation challenging the rule. At 67 FR 9184, Feb. 27, 2002, paragraphs (b)(1) and (b)(2) were revised, effective Mar. 29, 2002.

**§ 57.5067 Engines.**

(a) Any diesel engine introduced into an underground area of a mine covered by this part after July 5, 2001, other than an engine in an ambulance or fire fighting equipment which is utilized in

accordance with mine fire fighting and evacuation plans, must either:

(1) Have affixed a plate evidencing approval of the engine pursuant to subpart E of Part 7 of this title or pursuant to Part 36 of this title; or

(2) Meet or exceed the applicable particulate matter emission requirements of the Environmental Protection Administration listed in Table 57.5067–1, as follows:

TABLE 57.5067–1

EPA requirement	EPA category	PM limit
40 CFR 86.094–8(a)(1)(i)(A)(2) .....	light duty vehicle .....	0.1 g/mile.
40 CFR 86.094–9(a)(1)(i)(A)(2) .....	light duty truck .....	0.1 g/mile.
40 CFR 86.094–11(a)(1)(iv)(B) .....	heavy duty highway engine .....	0.1 g/bhp-hr.
40 CFR 89.112(a) .....	nonroad (tier, power range) .....	varies by power range:
.....	tier 1 kW<8 (hp<11) .....	1.0 g/kW-hr (0.75 g/bhp-hr).
.....	tier 1 8≤kW<19 (11≤hp<25) .....	0.80 g/kW-hr (0.60 g/bhp-hr).
.....	tier 1 19≤kW<37 (25≤hp<50) .....	0.80 g/kW-hr (0.60 g/bhp-hr).
.....	tier 2 37≤kW<75 (50≤hp<100) .....	0.40 g/kW-hr (0.30 g/bhp-hr).
.....	tier 2 75≤kW<130 (100≤hp<175) .....	0.30 g/kW-hr (0.22 g/bhp-hr).
.....	tier 1 130≤kW<225 (175≤hp<300) .....	0.54 g/kW-hr (0.40 g/bhp-hr).
.....	tier 1 225≤kW<450 (300≤hp<600) .....	0.54 g/kW-hr (0.40 g/bhp-hr).
.....	tier 1 450≤kW<560 (600≤hp<750) .....	0.54 g/kW-hr (0.40 g/bhp-hr).
.....	tier 1 kW≥560 (hp≥750) .....	0.54 g/kW-hr (0.40 g/bhp-hr).

NOTES:  
 "g" means grams.  
 "hp" means horsepower.  
 "g/bhp-hr" means grams/brake horsepower-hour.  
 "kW" means kilowatt.  
 "g/kW-hr" means grams/kilowatt-hour.

(b) For purposes of paragraph (a):

(1) The term "introduced" means any engine added to the underground inventory of engines of the mine in question, including:

(i) An engine in newly purchased equipment;

(ii) An engine in used equipment brought into the mine; and

(iii) A replacement engine that has a different serial number than the engine it is replacing; but

(2) The term "introduced" does not include engines that were previously part of the mine inventory and rebuilt.

(3) The term *introduced* does not include the transfer of engines or equipment from the inventory of one underground mine to another underground mine operated by the same mine operator.

[66 FR 5907, Jan. 19, 2001, as amended at 66 FR 27864, May 21, 2001; 67 FR 9184, Feb. 27, 2002]

**§ 57.5070 Miner training.**

(a) Mine operators must provide annual training to all miners at a mine covered by this part who can reasonably be expected to be exposed to diesel emissions on that property. The training must include—

(1) The health risks associated with exposure to diesel particulate matter;

(2) The methods used in the mine to control diesel particulate matter concentrations;

(3) Identification of the personnel responsible for maintaining those controls; and

(4) Actions miners must take to ensure the controls operate as intended.

(b) An operator must retain a record at the mine site of the training required by this section for one year after completion of the training.

**§ 57.5071 Exposure monitoring.**

(a) Mine operators must monitor as often as necessary to effectively determine, under conditions that can be reasonably anticipated in the mine,