

Redesignation Table

At 68 FR 10784 (March 6, 2003), part 70, subpart D of part 75, consisting of §§75.370 and 75.371, and part 90 were revised and redesignated. For convenience of the reader, the following table shows the relationship of the existing CFR section numbers to the proposed CFR section numbers.

Existing Section	Proposed Section
Part 70	Part 70
70.2 Definitions	70.2 [Revised] <i>New terms defined: Administrative controls; citation threshold value; control filter; critical value; dust control parameters; engineering or environmental controls; equivalent concentration; material produced; personal continuous dust monitor; powered air-purifying respirator; protection factor; verification limits; and verification production level.</i>
70.100(a),(b) Respirable dust standards	70.100(a),(b)
70.101 Respirable dust standard when quartz is present.	70.101 [Revised] Note: Only MSHA samples would be used to set a reduced standard.
70.201 Sampling; general requirements. 70.201(a) 70.201(b) 70.201(c) 70.201(d) New New New New New New	70.201 70.201(a) [Revised] 70.201(c) [Revised] 70.201(g) Deleted 70.201(b) 70.201(d) 70.201(e) 70.201(f) 70.201(h) 70.201(i)

Existing Section	Proposed Section
70.202 Certified person; sampling. 70.202(a), (b) 70.202(c)	Deleted 70.201(b) Deleted
70.203 Certified person; maintenance and calibration. 70.203(a), (b) 70.203(c)	Deleted 70.202(a) Deleted
70.204 Approved sampling devices; maintenance and calibration. 70.204(a) 70.204(b), (c) 70.204(d)(1)-(5), (e) New	70.202 70.202(a) 70.202(b), (c) 70.202(d)(1)-(5), (e) [Revised] 70.202(f)
70.205 Approved sampling devices; operation; air flowrate. 70.205(a) 70.205(b), (c) 70.205(d) New	70.203 70.203(a) 70.203(b)(1)-(2) 70.203(c) 70.203(d)
70.206 Approved sampling devices; equivalent concentrations.	70.2 [Revised] - <i>Equivalent concentration.</i>
70.207 Bimonthly sampling; mechanized mining units.	Deleted.
70.208 bimonthly sampling; designated areas.	Deleted.
New	70.204 <i>Demonstrating the adequacy of the dust control parameters specified in a mine ventilation plan; verification sampling.</i>
New	70.205 <i>Verification sampling; when required; time for completion.</i>
New	70.206 <i>Verification sampling; procedures for sampling.</i>
New	70.207 <i>Approval of dust control parameters by district manager; revocation of approval.</i>

Existing Section	Proposed Section
New	70.208 <i>Follow-up action when either verification limit is exceeded.</i>
New	70.209 <i>Use of supplementary control measures; types and conditions for use; request for approval.</i>
New	70.210 <i>Powered air-purifying respirators (PAPRs); requirements for approval.</i>
New	70.211 <i>Powered air-purifying respirators (PAPRs); approval and conditions for continued use; revocation of approval.</i>
New	70.212 <i>Powered air-purifying respirators (PAPRs); conditions for use under special circumstances.</i>
New	70.213 <i>Administrative controls; requirements for approval.</i>
New	70.214 <i>Administrative controls; approval and conditions for continued use; revocation of approval</i>
New	70.215 <i>Quarterly evaluation of approved plan parameters.</i>
70.209 Respirable dust samples; transmission by operator. 70.209(a)-(d) 70.209(e) New	70.216 70.216(a)-(d) Deleted 70.216(e)
70.210 Respirable dust samples; report to operator; posting. 70.210(a)(1)-(6) New	70.217
70.210(b) New New	70.217(a)(1)-(5) [Revised] 70.217(a)(6) 70.217(d) [Revised] 70.217(b)(1)-(3) 70.217(c)
New	70.218 <i>Violation of respirable dust standards; issuance of citation; action required by operator; and termination of citation.</i>

Existing Section	Proposed Section
70.220 Status change reports 70.220(a) 70.220(b)(1)-(2) 70.220(b)(3)	70.219 70.219(a) [Revised] 70.219(b)(1)-(2) Deleted
New	70.220 Personal continuous dust monitor (PCDM).
PART 75	PART 75-[AMENDED]
75.370 Mine Ventilation Plan; Submission and Approval New	75.370 75.370(h)- Requires the operator to record and maintain records of the total amount of material produced each production shift by each MMU during the previous six months. Such records would be made available to authorized representatives of the Secretary and the miners' representative.
75.371 Mine Ventilation Plan; Contents 75.371(f) 75.371(t)	75.371 75.371(f) [Revised] - Requires the dust control portion of ventilation plan to include the following additional information : specific work practices used to minimize the dust exposure of individual miners; location of the roof bolter(s) during the mining cycle for each continuous miner section; cut sequence for each longwall mining section; length of each normal production shift; verification production level (VPL) as defined in revised § 70.2. 75.371(t) [Revised] - Removes provision requiring identification of locations where samplers for DAs would be collected.
PART 90	PART 90
90.2 Definitions	90.2 [Revised] <u>New terms defined</u> : Approved sampling device; citation threshold value; and equivalent concentration.

Existing Section	Proposed Section
90.3 Part 90 option; notice of eligibility; exercise of option. 90.3(a)-(e)	90.3 90.3(a)-(e)
90.100 Respirable dust standard.	90.100
90.101 Respirable dust standard when quartz is present.	90.101 [Revised] Note: Only MSHA samples would be used to set a reduced standard.
90.102 Transfer; notice 90.102(a) 90.102(b)-(c)	90.102 90.102(a) [Revised] 90.102(b)-(c)
90.103 Compensation 90.103(a)-(b) New 90.103(c)-(f)(2)(ii)	90.103 90.103(a)-(b) 90.103(c) 90.103(d)-(g)(2)(ii)
90.104 Waiver of rights; re-exercise of option. 90.104(a)-(c)	90.104 90.104(a)-(c)
90.201 Sampling; general requirements 90.201(a) 90.201(b) 90.201(c) 90.201(d) 90.201(e) 90.201(f) New	90.201 90.201(a) 90.201(c) [Revised] 90.201(f) Deleted 90.201(d) 90.201(e) 90.201(b)
90.202 Certified person; sampling. 90.202(a),(b) 90.202(c)	Deleted 90.201(b) Deleted
90.203 Certified person; maintenance and calibration. 90.203(a),(b) 90.203(c)	Deleted 90.202(a) Deleted

Existing Section	Proposed Section
90.204 Approved sampling devices; maintenance and calibration. 90.204(a) 90.204(b), (c) 90.204(d)(1)-(5), (e)	90.202 90.202(a) 90.202(b), (c) 90.202(d)(1)-(5), (e)
90.205 Approved sampling devices; operation; air flowrate. 90.205(a) 90.205(b), (c) 90.205(d)	90.203 90.203(a) 90.203(b)(1)-(2) 90.203(c)
90.206 Approved sampling devices; equivalent concentrations.	90.2 [Revised] - <i>Equivalent concentration.</i>
90.207 Compliance sampling. 90.207(a)(1) 90.207(a)(2) 90.207(a)(3) New New	90.204 [Revised] - <i>Respirable dust sampling.</i> 90.204(a)(1) Deleted 90.204(a)(2) 90.204(b)(1)-(2) 90.204(c)
90.208 Bimonthly sampling.	Deleted
90.209 Respirable dust samples; transmission by operator. 90.209(a)-(d) 90.209(e)	90.205 90.205(a)-(d) Deleted
90.210 Respirable dust samples; report to operator. 90.210(a)(1)-(3) 90.210(a)(4) 90.210(a)(5)-(7) New 70.210(b)	70.206 70.206(a)(1)-(3) [Revised] Deleted 90.206(a)(4)-(6) 70.206(a)(7) 70.206(b)
New	90.207 Violation of respirable dust standards; issuance of citation; action required by operator; and termination of citation.

Existing Section	Proposed Section
90.220 Status change reports.	90.208 [Revised]
90.300 Respirable dust control plan; filing requirements. 90.300(a) 90.300(b) 90.300(b)(1)-(4)	90.300 90.300(a) [Revised] 90.300(b) [Revised] 90.300(b)(1)-(4)
90.301 Respirable dust control plan; approval by District Manager; copy to Part 90 miner. 90.301(a) 90.301(a)(1)-(2) 90.301(b) 90.301(c)-(e)	90.301 90.301(a) [Revised] 90.301(a)(1)-(2) 90.301(b) [Revised] 90.301(c)-(d)