

ISSUE DATE: January 7, 2008

PROGRAM INFORMATION BULLETIN NO. P08-01

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SUBJECT: Change to Respirable Coal Mine Dust Enforcement Program

Who needs this information?

This Program Information Bulletin (PIB) is applicable to coal mine operators, coal miners, contractors, coal mine inspectors, and other interested parties.

What is the purpose of this bulletin?

This PIB explains changes related to the use of operator respirable dust samples submitted under the requirements of 30 C.F.R. parts 70, 71 and 90 on or after January 1, 2008.

Information

Coal mine operators collect and submit respirable coal mine dust samples in conformance with the requirements of 30 C.F.R. parts 70, 71 and 90. Effective January 1, 2008, MSHA will hold operator-submitted samples in a “staging file” to allow the valid samples to be credited toward the sampling requirements in the order in which the operator collected the samples.

For example: A MMU is being sampled for the 5 bimonthly samples. Two samples are collected on each of 3 days (MMU is operated two shifts each day). Under the current system, the six samples are credited to the regulatory requirement in the order they are received by the computer system, which could result in the following:

<u>Sample Number</u>	<u>Sample Date</u>	<u>Sample Start Time</u>
1	01/06/08	07
2	01/06/08	15
3	01/07/08	07

4	01/08/08	07	
5	01/08/08	15	
6	01/07/08	15	(voided)

The “staging” will select the samples so that the samples utilized to satisfy the bimonthly requirements would be ordered by date and time of sampling, as follows:

<u>Sample Number</u>	<u>Sample Date</u>	<u>Sample Start Time</u>	
1	01/06/08	07	
2	01/06/08	15	
3	01/07/08	07	
4	01/07/08	15	
5	01/08/08	07	
6	01/08/08	15	(voided)

What is the background for this PIB?

MSHA has been requested to credit operator-collected samples for requirements of 30 C.F.R. parts 70, 71 and 90 in the order in which the samples were collected. The computer systems used by MSHA have now been reprogrammed to accomplish this function.

What is MSHA’s authority for this PIB?

30 C.F.R. Pts. 70, 71, and 90

Is this PIB on the Internet?

This PIB may be viewed on the Internet by accessing the MSHA home page at <http://www.msha.gov> “Compliance Info” and “Program Information Bulletins.”

Who is the MSHA contact for this PIB?

Coal Mine Safety and Health
 Robert A. Thaxton, (202) 693-9515
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Who will receive this PIB?

MSHA Program Policy Manual Holders
 Coal Mine Operators
 Miner’s Representatives
 Contractors
 Special Interest Groups