

**COAL DIESEL PARTICULATE MATTER (DPM) STANDARDS
INFORMATIONAL MEETINGS
QUESTIONS/ANSWERS**

HEALTH RISKS

1. **What health risks are associated from exposure to DPM?**

Based upon the best available scientific evidence, MSHA has determined that DPM puts miners at excess risk for diseases of the heart and lung, including lung cancer (Preamble 5637 - 5639).

TRAINING

2. **When should initial and annual training be conducted?**

Initial training must be conducted by May 21, 2001 and for a new miner employed at the specific mine prior to his/her assignment to work that may expose the miner to DPM. Annual training must be conducted each calendar year thereafter.

3. **Must initial training be recorded?**

Yes, you must maintain a record of the initial training.

4. **How must initial training be recorded?**

If DPM training is incorporated into an approved Part 48 training plan, initial training must be reported on Form 5000-23. If initial training is not included in your approved Part 48 training plan, it may be recorded in any format which is readily available upon request by MSHA.

5. **Must I amend my approved Part 48 training plan if I include DPM annual training?**

Yes, you must submit an amended Part 48 training plan if you include DPM annual training to the District Manager for approval.

6. If DPM training is included in my Part 48 training plan is an amendment necessary every time there is a change in my diesel equipment inventory?

An amendment is necessary only if different controls or maintenance procedures are introduced.

7. If a new piece of equipment is obtained, is it necessary to provide initial training for all miners, or is it possible to provide initial training for the equipment operator and train all the other miners during annual training?

It is necessary that the equipment operator receive initial training at the time the new equipment is obtained; however, all other miners can be trained during annual training.

8. If the type of control device to be used is not known when initial miner training is conducted, what training should be provided?

Miners must be trained concerning the health risks associated with diesel particulate matter. If control devices are not yet required for your mine inventory, it is not necessary to provide training concerning their use and maintenance.

9. Who can conduct DPM miner training?

Any individual who understands and can explain the requirements of the standard. If the training is incorporated into the Part 48 training plan, such training must meet all applicable requirements of Part 48.

10. Can training records be maintained at the mine's central office?

Yes, provided the records are immediately accessible at the mine.

DIESEL EQUIPMENT INVENTORY

11. How does MSHA differentiate a spare engine from an engine which may be included in the diesel equipment inventory before the May 22, 2001 deadline?

A spare engine must be located on mine property prior to May 22, 2001 to be included on the diesel equipment inventory.

12. If an engine which is already listed on the diesel equipment inventory is given a new frame and body, is the equipment “newly introduced at the mine?”

No. If the engine was included on the diesel equipment inventory before May 22, 2001 the engine would not be “introduced” at the mine. However, the diesel equipment inventory should be amended to identify the new frame and body if it changed.

13. Does MSHA update the list of approved engines posted on the MSHA home page?

Yes. The list is updated when new engines or configurations are approved.

14. If an engine is sent out to be rebuilt, is it still part of the inventory when it comes back?

Yes.

15. When equipment is owned jointly by different mining companies or is bought jointly, whose responsibility is it to have it reported after it is introduced?

The equipment should be reported on the mine inventory for the mine in which it is used as of May 22, 2001. If the equipment is later moved to another mine, it is “newly introduced” at that mine, must be included in the mine inventory for that mine, and is subject to the requirements for “newly introduced” equipment.

16. If mines share specialized equipment, is it considered “introduced” equipment when it goes from one mine to another?

Specialized diesel-powered equipment such as petito mules, shield-hauling scoops, generators and compressors have, through past practice (prior to January 19, 2001), been shared between mines. These mines include those within the same company or mines operated by different companies that are under the same controlling entity. All such mines will be permitted to list the shared equipment on each mine’s diesel inventory. The specialized equipment covers those units which perform a specific task which occurs on an infrequent basis at any one mine.

17. The rule requires that I notify the District Manager within 7 days of any change to my diesel equipment inventory; if I borrow or rent a piece of equipment for 5 days do I have to notify the District Manager?

Yes. The District Manager must be notified within 7 days, regardless of the length of time the equipment will be used at the mine. If certain equipment is used only for short periods of time, you should note that on the diesel equipment inventory and any amendments you submit. The inventory listing provides the information in regard to the applicable control device necessary to meet the DPM requirements.

18. Does diesel equipment covered by a purchase order dated before May 22, 2001 count as an addition to the mine's diesel inventory and not applicable to the rule?

Diesel equipment ordered after January 19, 2001 must be delivered to the mine no later than May 21, 2001 to be included on the diesel equipment inventory which must be submitted by May 21, 2001. Diesel equipment ordered before January 19, 2001 may be included on the diesel equipment inventory regardless of delivery date.

19. Does the entire fleet or only equipment effected by the May 22, 2001 date have to be included on the diesel equipment inventory submitted to the District Manager?

The entire fleet of diesel equipment must be included on the inventory list and submitted to the District Manager by May 21, 2001. If new equipment is brought into the mine, the inventory must be updated immediately and reported to the MSHA District Manager within 7 days.

20. Must the District Manager be notified when equipment leaves the mine?

Yes, the District Manager must be notified within 7 days of any change to the diesel equipment inventory.

CONTROL DEVICES

21. Will back pressure gauges be required?

No

- 22. If the vendor says a certain type of engine or filter meets certain conditions, is it necessary for the mine operator to obtain test data, or can the vendor be relied upon? Does this satisfy the requirements of the standard? Will suppliers provide test data?**

The mine operator is responsible for demonstrating compliance with the standard. MSHA may be contacted for guidance before purchasing control devices.

- 23. For unusual engines, does the manufacturer have to visit the mine property and measure exhaust flow and temperature in order to determine if a control is available or can be built?**

It may be necessary for unusual engines.

- 24. Are mine operators required to keep a log when filters are changed out, for example, if a paper filter is rated for 50 hours?**

No. The standard does not include a recordkeeping requirement for filter exchange.

ENFORCEMENT

- 25. How will inspectors check for compliance?**

Inspectors will utilize the diesel equipment inventory and manufacturer's recommendations and specifications for determining if the exhaust control device is adequate. If a back pressure gauge is a component of the control, the inspector may check the back pressure reading to determine proper maintenance of the control system.

- 26. How will the rule address combination equipment such as a rock duster with a built-in diesel-powered compressor or a diesel-powered welder?**

Only stand-alone generators or compressors are classified as generators and compressors for purposes of Section 72.501. Combination equipment is classified according to its use. A rock duster with a built-in diesel-powered compressor or a diesel-powered welder is not a compressor or generator for purposes of Section 72.501. If a machine is a permissible unit, it must meet the permissible requirements; if it is a light duty unit, it must meet the light duty requirements.

- 27. Is it possible to seek a Petition for Modification of the Diesel Particulate Matter (DPM) standard?**

No. In accordance with Section 101 (c) of the Federal Mine Safety and Health Act of 1977, MSHA may only grant Petitions for Modification for safety standards.

- 28. Is MSHA working to develop new engines or technology that would make current control systems obsolete within a year?**

No. Compliance is feasible using current technology; however, MSHA is encouraging engine manufacturers to develop cleaner engines.

- 29. Where is information on DPM technology, such as VERT tested filters, available?**

Information is available from MSHA's Approval and Certification Center (AC&C) and MSHA's home page as well as commercial sites such as www.dieselnet.com.

- 30. Are filters the only means to comply with the standard?**

No, mine operators are not limited to filters; however, at this time MSHA has determined filters are the most feasible control devices.

- 31. If an approved engine package does not have a kit to attach, would a field modification be required and would the engine manufacturer need to come to the mine to establish a baseline emission?**

A baseline emission is established during the Part 7 engine approval. A field modification is required. If such equipment is shared between mines, a copy of the field modification should accompany the equipment from mine to mine and accompany the inventory notice to the District Manager.

- 32. When determining the equivalency of different filters is a filter efficiency test required?**

An additional test may be necessary. The filter or engine manufacturer may have test data to validate the equivalency of different filters. MSHA is available to evaluate the test data and determine if the filter is appropriate.

- 33. Where do we get a list of equipment which has already been approved for DPM control?**

This information should be available from equipment manufacturers and vendors.

- 34. What affect does the rule have on rental equipment and who is responsible for compliance?**

Diesel-powered rental equipment is subject to the requirements of the DPM rule. Mine operators are responsible for ensuring that all equipment used at their mine is in compliance with the rule requirements.

- 35. When is equipment affected by the rule; when it goes underground or arrives on the surface?**

The standard applies to diesel equipment used underground.

- 36. Does reducing the horsepower ratings of an engine require a new test?**

Yes. Engines are approved at a rated horsepower as specified by the engine manufacturer. To receive a lower gaseous ventilation number or particulate index number, the engine must be retested.

- 37. How will pre-treatment devices be considered when calculating DPM to obtain compliance?**

Any pre-treatment device(s) or additive(s) must meet the requirements of 30 CFR Section 72.503. Pre-treatment devices or additives will be evaluated in the same manner as aftertreatment devices installed in the exhaust stream; i.e., the effectiveness of the pre-treatment devices will have to be supported by testing and data.

- 38. Is MSHA waiving the diesel engine testing fees for the next 18 months?**

No.

- 39. What is the promulgation date for the rule?**

The promulgation date is January 19, 2001.

- 40. Can an aftertreatment device be removed when a piece of diesel-powered equipment changes categories, i.e. heavy duty to light duty?**

Yes.