Mine Operator Requirements under 30 CFR 56/57.5002



Topics

- **30 CFR 56/57.5002**
- Program Policy Letter
- Procedure Instruction Letter
- Surveys
- Frequency of Surveys
- Evidence of Surveys
- Assistance
- Questions/Discussion



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30 CFR 56/57.5002, Exposure Monitoring

 "Dust, gas, mist and fume surveys shall be conducted as frequently as necessary to determine the adequacy of control measures"



Questions to answer

- Who conducts surveys?
- What constitutes a survey?
- How frequent is frequent enough?
- How to verify surveys are being conducted?





Program Policy Letter (PPL)

- Issued 10/22/2010 and available at http://www.msha.gov/REGS/COMPLIAN/PPLMEN.HTM
- Mine operators have the primary responsibility for protecting the health of miners
 - Conducted by mine operator
 - Conducted by third party
- Mine operators must demonstrate compliance rather than relying on enforcement interventions
- Emphasize:
 - Plan
 - Prevent
 - Protect



Policy

 During MSHA inspections, MSHA inspectors will be evaluating operator activities to verify evidence of surveys and whether those surveys are being conducted frequent enough to ensure adequacy of controls.



Procedure Instruction Letter (PIL)

- Issued 12/16/2010 and available at http://www.msha.gov/regs/complian/PILS/2010/
 http://www.msha.gov/regs/complian/PILS/2010/
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 http://www.msha.gov/regs/complian/
 <a href="http://www.msha.gov/regs/complia
- Provides general instructions for assessing compliance with the requirements of 56/57.5002



What constitutes a survey?

- The term survey denotes any information collection method that
 - Yields information as to miner exposures
 - Yields information as to the effectiveness of controls
- Trained and knowledgeable persons should conduct surveys



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Surveys

- Exposure monitoring
- Workplace inspections
- Inspection of equipment
- Injury, illness, incident tracking and/or reports
- Worker input
- Occupational health assessments
- Other methods





How frequent is frequent enough?

- 30 CFR 56/57.5002 does not require specific frequency of surveys
- Mine operator determines frequency based on several parameters



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Parameters that impact frequency

- Sampling results and established TLVs (under 30 CFR 56/57.5001)
- Changes in the job
- Changes in the hazard
- Results of inspections and/or routine/special maintenance
- Worker identified issues
- Injury and/or illness reports and/or incidents





Evidence of Surveys

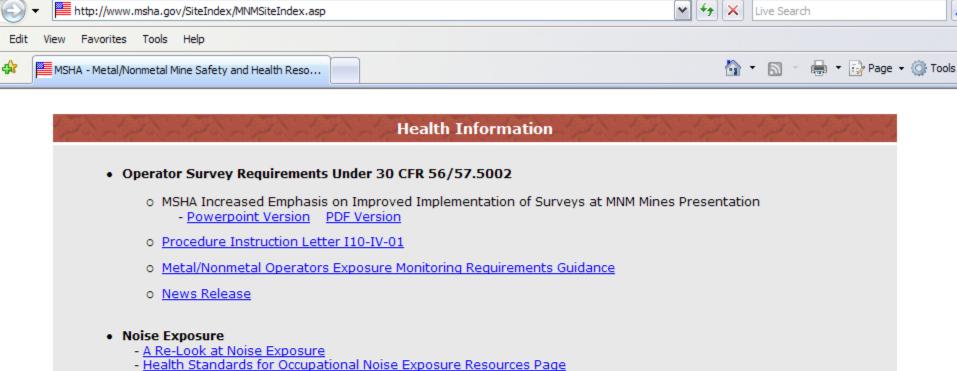
- 30 CFR 56/57.5002 does not specify any record keeping requirements
- Examples of evidence
 - Exposure monitoring records
 - Maintenance records
 - Interviews
 - Visual inspection
 - Other evidence presented by the operator



Assistance

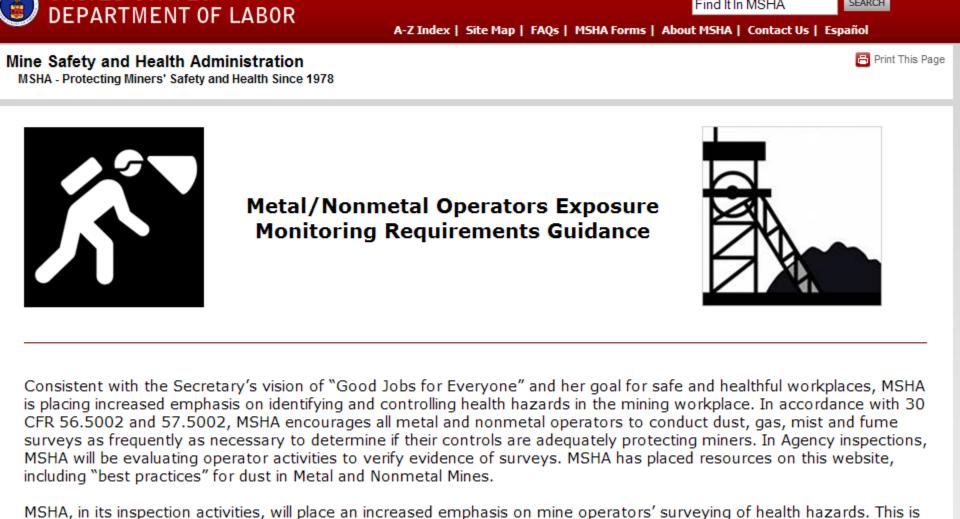
- MSHA continues to work with stakeholders
- MSHA working with other organizations
 - Training and guidance with focus on small mines
- MSHA Websites
 - http://www.msha.gov/SiteIndex/MNMSiteIndex.asp





- Asbestos Single Source Page
- Health Standards
- · Diesel Particulate
- Toolbox to Reduce Diesel Exposure
- IG 103 A Practical Guide to an Occupational Health Program for Respirable Crystalline Silica
- 2010 Metal/Nonmetal Health Sampling Program
- NIOSH IC 9521 Best Practices for Dust Control in Metal/Nonmetal Mining
- MNM Health Inspection Procedures Manual

Accident Prevention Tips by Mine Type



a shift from reacting to MSHA's enforcement of overexposures to MSHA enforcement of the mine operators'

requirement to conduct health hazard surveys and make appropriate changes to ensure miners are not overexposed to

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http://www.msha.gov/S&HINFO/ExposureGuidance/ExposureGuidance.asp

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