

(d) *Ventilation control.* To adequately control dust from drilling rock, the air current shall be so directed that the dust is readily dispersed and carried away from the drill operator or any other miners in the area.

§ 72.710 Selection, fit, use, and maintenance of approved respirators.

In order to ensure the maximum amount of respiratory protection, approved respirators shall be selected, fitted, used, and maintained in accordance with the provisions of the American National Standards Institute's "Practices for Respiratory Protection ANSI Z88.2-1969," which is hereby incorporated by reference. This publication may be obtained from the American National Standards Institute, Inc., 25 W. 43rd Street, 4th Floor, New York, NY 10036; <http://www.ansi.org>, and may be inspected at any MSHA Coal Mine Safety and Health district office, or at MSHA's Office of Standards, Regulations, and Variances, 1100 Wilson Blvd., Room 2352, Arlington, Virginia 22209-3939, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

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PART 74—COAL MINE DUST PERSONAL SAMPLER UNITS

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AUTHORITY: 30 U.S.C. 957, 961.

SOURCE: 35 FR 4326, Mar. 11, 1970, unless otherwise noted.

§ 74.1 Purpose.

The regulations in this part set forth the requirements for approval of coal mine dust personal sampler units designed to determine the concentrations of respirable dust in coal mine atmospheres; procedures for applying for such approval; test procedures; and labeling.

§ 74.2 Sampler unit.

A coal mine dust personal sampler unit shall consist of (a) a pump unit, (b) a sampling head assembly, and (c) if rechargeable batteries are used in the pump unit, a battery charger.

§ 74.3 Specifications of sampler unit.

(a) *Pump unit*—(1) *Dimensions.* The overall dimensions of the pump unit, hose connections and valve or switch covers shall not exceed 8 inches in height, 6 inches in width and 4 inches in thickness.

(2) *Weight.* The pump unit shall not weigh more than 4 pounds.

(3) *Construction.* The case and all components of the pump unit shall be of sufficiently durable construction to endure the wear of use in a coal mine and shall be tight fitting, so as to minimize the amount of dust entering the pump case.

(4) *Exhaust.* The pump shall exhaust into the pump case, maintaining a slight positive pressure which will reduce the entry of dust into the pump case.

(5) *Switch.* The pump unit shall be equipped with an on-off switch or equivalent device on the outside of the pump case. This switch shall be protected against accidental operation during use and protected to keep dust from entering the mechanisms.

(6) *Flow rate adjustment.* Except as provided in the last sentence of this paragraph (a) (6), the pump unit shall be equipped with a suitable means of flow rate adjustment accessible from outside the case. To prevent accidental adjustment, the flow rate adjuster shall be recessed in the pump case and shall require the use of an adjusting

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tool. If the pump is capable of maintaining the flow rate consistency required in this part without adjustment, an external flow rate adjuster is not required.

(7) *Battery.* The power supply for the pump shall be a suitable battery located in the pump case or in a separate case which attaches to the pump case by a permissible electrical connection.

(8) *Pulsation.* (i) The irregularity in flow rate due to pulsation shall have a fundamental frequency of not less than 20 Hz.

(ii) On and after July 1, 1974 the quantity of respirable dust collected with a sampler unit shall be within ± 5 percent of that collected with a sampling head assembly operated with non-pulsating flow.

NOTE: The test procedures for evaluating sampler units with respect to this specification will be provided on request by the National Institute for Occupational Safety and Health, 1014 Broadway, Cincinnati, Ohio 45202.

(iii) Certificates of approval issued for sampler units which fail to comply with the specification set forth in paragraph (a) (8) (ii) of this section when such specification becomes effective, shall be revoked.

(9) *Belt clips.* The pump unit shall be provided with a belt clip which will hold the pump securely on a coal miner's belt.

(10) *Recharging connection.* A suitable connection shall be provided so that the battery may be recharged without removing the battery from the pump case or from the battery case if a separate battery case is used.

(11) *Flow rate indicator.* A visual indicator of flow rate (e.g., a flowmeter) shall be provided either as an integral part of the pump unit or of the sampling head assembly. The flowrate indicator shall be calibrated within ± 5 percent at 2, 1.8, and 1.6 liters per minute to indicate the rate of air passing through the accompanying sampling head assembly.

(12) *Flow rate range.* The pump shall be capable of operating in or over a range of from 1.5 to 2.5 liters per minute and shall be adjustable over this range.

(13) *Flow rate consistency.* The flow shall remain within ± 0.1 liters per minute over an 8-hour period when the

pump is operated at 2 liters per minute with a standard sampling head assembly. Not more than two readjustments of the flow rate to 2 liters per minute shall be required to maintain this accuracy.

(14) *Duration of operation.* The pump shall be capable of operating for not less than 8 hours at a flow rate of 2 liters per minute against a resistance of 4 inches of water measured at the inlet of the pump.

(b) *Sampling head assembly.* The sampling head assembly shall consist of a cyclone and a filter assembly as follows:

(1) *Cyclone.* The cyclone shall consist of a cyclone body with removable grit cap and a vortex finder and shall be constructed of nylon or a material equivalent in performance. The dimensions of the components, with the exception of the grit cap, shall be identical to those of a Door-Oliver 10 mm. cyclone body, part No. 28541/4A or 01B11476-01 and vortex finder, part No. 28541/4B.

(2) *Filter assembly.* The filter assembly shall meet the following requirements:

(i) *Filter.* The filter shall be a membrane filter type with a nominal pore size not over 5 microns. It shall be nonhydroscopic and shall not dissolve or decompose when emersed in ethyl or isopropyl alcohol. The strength and surface characteristics of the filter shall be such that dust deposited on its surface may be removed by ultrasonic methods without tearing the filter. The filter resistance shall not be more than 2 inches of water at an airflow rate of 2 liters per minute.

(ii) *Capsule.* The capsule enclosing the filter shall not permit sample air to leak around the filter. The capsule shall be made of nonhydroscopic material. Its weight, including the enclosed filter, shall not exceed 5 grams and it shall be preweighed by the manufacturer with a precision of ± 0.1 milligrams. Impact to the capsule shall not dislodge any dust from the capsule, which might then be lost to the weight measurement.

(iii) *Cassette.* The cassette shall enclose the capsule so as to prevent contamination. The cassette must be easily removable without causing a loss or gain of capsule weight. Appropriate

covers shall be provided to prevent contaminants from entering, or dust from leaving, the capsule when it is not in use.

(3) *Arrangement of components.* The connections between the cyclone vortex finder and the capsule and between the capsule and the ¼-inch (inside diameter) hose mentioned in paragraph (b) (5) of this section shall be mechanically firm and shall not leak at a rate of more than 0.1 liters per hour under a vacuum of 4 inches of water.

(4) *Clamping of components.* The clamping and positioning of the cyclone body, vortex finder, and cassette shall be rigid, remain in alignment, be firmly in contact and airtight. The cyclone-cassette assembly shall be attached firmly to a backing plate or other means of holding the sampling head in position. The cyclone shall be held in position so that the inlet opening of the cyclone is pointing perpendicular to, and away from, the backing plate.

(5) *Hose.* A 3-foot long, ¼-inch (inside diameter) hose shall be provided to form an airtight connection between the inlet of the sampler pump and the outlet of the filter assembly. A device, capable of sliding along the hose and attaching to the miner's outer garment shall be provided.

(c) *Battery charger—(1) Power supply.* The battery charger shall be operated from a 117 volt, 60 Hz power line.

(2) *Connection.* The battery charger shall be provided with a cord and polarized connector so that it may be connected to the charge socket on the pump or battery case.

(3) *Protection.* The battery charger shall be fused, shall have a grounded power plug, and shall not be susceptible to damage by being operated without a battery on charge.

(4) *Charge rates.* The battery charger shall be capable of operating at either a 16-hour or a 64-hour charge rate. The battery charger shall be capable of fully charging the battery in the pump unit in the stated times and shall not overcharge a discharged battery in 16 hours when operating at the 16-hour

charge rate or in 88 hours when operating at the 64-hour charge rate.

[35 FR 4326, Mar. 11, 1970, as amended at 37 FR 26712, Dec. 15, 1972; 37 FR 28294, Dec. 22, 1972; 39 FR 3677, Jan. 29, 1974]

§ 74.4 Tests of coal mine dust personal sampler units.

(a) The National Institute for Occupational Safety and Health, Department of Health and Human Services, shall conduct tests to determine whether a coal mine dust personal sampler unit which is submitted for approval under these regulations meets the requirements set forth in § 74.3.

(b) The Mine Safety and Health Administration, Department of Labor (MSHA) will conduct tests, pursuant to § 18.68 of this chapter, to determine whether the pump unit of a coal mine dust personal sampler unit submitted for approval under these regulations is intrinsically safe.

[35 FR 4326, Mar. 11, 1970, as amended at 37 FR 26712, Dec. 15, 1972; 43 FR 12319, Mar. 24, 1978; 47 FR 28095, June 29, 1982]

§ 74.5 Conduct of tests; demonstrations.

Prior to the issuance of a certificate of approval, only personnel of MSHA and National Institute for Occupational Safety and Health, representatives of the applicant, and such other persons as may be mutually agreed upon may observe the tests conducted. The MSHA and the National Institute for Occupational Safety and Health shall hold as confidential, and shall not disclose, principles of patentable features prior to certification, nor shall MSHA or Institute disclose any details of the applicant's drawings or specifications or other related material. After the issuance of a certificate of approval, MSHA or the National Institute for Occupational Safety and Health may conduct such public demonstrations and tests of the approved coal mine dust personal sampler unit as MSHA or Institute deems appropriate. The conduct of all investigations, tests, and demonstrations shall be under the sole direction of the National Institute for Occupational Safety and Health and MSHA and any other