§ 71.210 Respirable dust samples; report to operator; posting.

(a) The Secretary shall provide the operator with a report of the following data on respirable dust samples as soon as practicable:

(1) The mine identification number;
(2) The designated work position at the mine from which the samples were taken;
(3) The concentration of respirable dust, expressed in milligrams per cubic meter of air, for each valid sample;
(4) The average concentration of respirable dust, expressed in milligrams per cubic meter of air, for all valid samples; and
(5) The reason for voiding any samples.

(b) Upon receipt, the operator shall post this data for at least 31 days on the mine bulletin board.

§ 71.220 Status change reports.

(a) If there is a change in operational status that affects the respirable dust sampling requirements of this part, the operator shall report the change in operational status of the mine or designated work position to the MSHA District Office or to any other MSHA office designated by the District Manager. Status changes shall be reported in writing within 3 working days after the status change has occurred.

(b) Each specific operational status is defined as follows:

(i) Underground mine:
   (i) Producing—has at least one mechanized mining unit producing material.
   (ii) Nonproducing—no material is being produced.
   (iii) Abandoned—the work of all miners has been terminated and production activity has ceased.

(ii) Surface mine:
   (i) Producing—normal activity is occurring and coal is being produced or processed or other material or equipment is being handled or moved.
   (ii) Nonproducing—normal activity is not occurring and coal is not being produced or processed or other material or equipment is not being handled or moved.
   (iii) Abandoned—the work of all miners has been terminated and all activity has ceased.

(c) Designated work position:
   (i) Producing—normal activity is occurring.
   (ii) Nonproducing—normal activity is not occurring.
   (iii) Abandoned—the dust generating source has been withdrawn and activity has ceased.

Subpart D—Respirable Dust Control Plans


SOURCE: 45 FR 80759, Dec. 5, 1980, unless otherwise noted.