

section, the operator must take the following actions within the time for abatement fixed in the citation:

(1) Make respiratory equipment available to affected miners in accordance with § 70.300, unless already under a PAPR protection program;

(2) Determine the cause and take corrective action to reduce the equivalent concentration of respirable coal mine dust to within the applicable dust standard;

(3) Revise the plan parameters if the corrective action taken indicates that the dust control parameters originally approved for the MMU are inadequate for the current operating conditions; and

(4) Notify the district manager, in writing or by electronic means, within 24 hours after implementing corrective action(s).

(c) The citation will be terminated when:

(1) All valid equivalent concentration measurements of MSHA abatement samples are at or below the applicable dust standard. If compliance is demonstrated, the plan must incorporate the dust control parameters used during MSHA sampling; or,

(2) The revised plan parameters have been verified for the current operating conditions, if required by the district manager.

TABLE 70-2.—CITATION THRESHOLD VALUES (CTV) FOR CITING RESPIRABLE DUST VIOLATIONS BASED ON SINGLE-SHIFT MEASUREMENTS

Applicable dust standard (mg/m <sup>3</sup> )	CTV (mg/m <sup>3</sup> )
2.0 .....	2.33
1.9 .....	2.22
1.8 .....	2.11
1.7 .....	2.0
1.6 .....	1.90
1.5 .....	1.79
1.4 .....	1.68
1.3 .....	1.58
1.2 .....	1.47
1.1 .....	1.36
1.0 .....	1.26
0.9 .....	1.15
0.8 .....	1.05
0.7 .....	0.94
0.6 .....	0.84
0.5 .....	0.74
0.4 .....	0.64
0.3 .....	0.53
0.2 .....	0.43

#### § 70.219 Status change reports.

(a) If there is a change in operational status of the mine or a MMU that affects either the sampling requirements of this part or MSHA's ability to carry out its sampling responsibilities, the operator

must report the change to the MSHA District Office or to any other MSHA office designated by the district manager. Status changes must be reported in writing within 3 working days after the change has occurred.

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

(1) Underground mine:

(i) Producing—has at least one MMU producing material.

(ii) Nonproducing—no material is being produced.

(iii) Abandoned—the work of all miners has been terminated and production activity has ceased.

(2) Mechanized mining unit:

(i) Producing—producing material from a working section.

(ii) Nonproducing—temporarily ceased production of material.

(iii) Abandoned—permanently ceased production of material.

#### § 70.220 Personal continuous dust monitor (PCDM).

(a) An operator may implement a miner protection program based on the use of approved personal continuous dust monitors (PCDM) in conjunction with engineering and administrative controls specified in the ventilation plan.

(b) If PCDMs are to be used, the operator may include administrative controls in the proposed plan without obtaining approval from the Administrator for Coal Mine Safety and Health under § 70.209. The proposed plan must include:

(1) The engineering and administrative controls to be used and the method for ensuring that such controls are complied with each shift;

(2) The miners or occupations that will wear a PCDM each shift; and

(3) The procedures that ensure no miner will be exposed above the applicable dust standard in § 70.100(a) or § 70.101.

(c) The adequacy of the proposed plan in controlling exposure to respirable dust must be demonstrated as prescribed in § 70.204 by monitoring each miner's exposure. Each PCDM must be operated portal-to-portal and must remain operational the entire work shift or for 12 hours, whichever time is less. In addition, the operator must collect a respirable dust sample for quartz analysis from each occupation specified in paragraph (a) and in accordance with paragraphs (b), (d) and (e) of § 70.206. The district manager will approve the proposed plan in accordance with § 70.207(a).

(d) Following approval by the district manager, the exposure of each miner on a MMU must be monitored on every

shift under the prevailing operating conditions, unless the operator demonstrated through verification sampling that the exposure of each miner working on the same shift is represented by sampling only the DO and/or another occupation(s) specified in § 70.206(a). Each PCDM must be operated portal-to-portal and must remain operational the entire shift or for 12 hours, whichever time is less.

(e) If any end-of-shift equivalent concentration measurement exceeds the applicable dust standard by 0.1 mg/m<sup>3</sup> or more, the requirements in paragraphs (c)(1) through (3), (d) and (e) of § 70.215 will apply.

#### PART 75—[AMENDED]

5. The authority citation for part 75 continues to read as follows:

**Authority:** 30 U.S.C. 811.

6. Section 75.370 of Subpart D is amended by adding paragraph (h) to read as follows:

#### § 75.370 Mine ventilation plan; submission and approval.

\* \* \* \* \*

(h) The operator must record the amount of material produced, as defined in § 70.2 of this title, by each MMU during each production shift, retain the records for six months, and make the records available to authorized representatives of the Secretary and the miners' representative.

7. Section 75.371 of Subpart D is amended by revising paragraphs (f) and (t) to read as follows:

#### § 75.371 Mine ventilation plan; contents.

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(f) Section and face ventilation systems used, including drawings illustrating how each system is used; and a description of each different dust suppression system used on equipment on working sections, including any specific work practices used to minimize the dust exposure of individual miners, along with information on the location of the roof bolter(s) during the mining cycle for each continuous miner section, and the cut sequence for each longwall mining section. For plans required to be verified pursuant to § 70.204 of this title, the length of each normal production shift and the verification production level (VPL), as determined in accordance with § 70.2 of this title, must be included for each working section.

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(t) The location of each "designated area," and the respirable dust controls