

is installed in mines that use belt air to ventilate working sections or setup or removal areas.

Proposed paragraph (b)(3) would require that the concentration of respirable dust in the belt air course must be maintained at or below 1.0 mg/m<sup>3</sup> because it is now considered intake air. A permanent designated area (DA) for dust measurements would be established at a point no greater than 50 feet upwind from the section loading point in the belt entry when the belt air flows over the loading point or no greater than 50 feet upwind from the point where belt air is mixed with air from another intake air course near the loading point. We would require that this DA be specified and approved in the mine ventilation plan. The Advisory Committee recommended the establishment of DAs at appropriate locations. Establishing a DA near the loading point or before the mixing point would address the concerns of Advisory Committee members for protecting the health of persons when belt air is coursed onto the working section or setup or removal areas. The existing regulation, § 70.100(b), specifies that the average concentration of respirable dust in the intake airways within 200 feet of the working faces of each section be continuously maintained at or below 1.0 mg/m<sup>3</sup>.

Proposed § 75.350(b)(4) would require monitoring of the primary escapeway per proposed § 75.351(f) for CO or smoke within 500 feet of the working section or set up or removal areas, and within 500 feet of the beginning of the panel. In mines that point-feed from the primary escapeway near the beginning of a panel, the sensor required under § 75.351(f) must be located in the primary escapeway within 500 feet of the working section and within 500 feet of the beginning of the panel. The point-feed sensor required by proposed § 75.350(c)(1) may be used as the sensor at the beginning of the panel if it is located within 500 feet of the beginning of the panel. Alarms activated by these sensors would warn miners of a problem in the primary escapeway upwind of the working section or setup or removal area. These sensors will provide significant additional protection for a minimal cost.

Proposed § 75.350(b)(5) is included to limit the use of belt air to sections developed using at least three entries for development. This will require all existing two-entry petition requirements to remain in effect, and these petitions will not be superseded by this rule since many of the granted petition requirements exceed those in this proposed rule. Future two-entry mines

will need to continue to file petitions to use belt air, since proposed § 75.350(a) prohibits placing the conveyor belt in the return. The Agency believes the two-entry mining system provides a unique set of issues and needs to be approved on a mine-by-mine basis.

Proposed paragraph (c) would require that when a mine needs additional air in the belt air course, notwithstanding the provisions of § 75.380(g), point feeding air from any intake air course may be permitted if approved in the mine ventilation plan under § 75.370 and conditions set out in proposed paragraph (c) are met. MSHA believes that a point-feed regulator should only be used when needed and the number of point-feed regulators should be kept to a minimum. Point feeding is not meant to compensate for a poorly designed or inadequately maintained ventilation system. Although the Advisory Committee limited discussion to point feeding from the primary escapeway, we believe that any intake air course could be considered as a source for point feeding. The same requirements should apply to these other intake air courses in order to maintain the integrity of the air courses and to facilitate early-warning fire detection capability.

When point-feed regulators are used and the air in the belt air course is being used to ventilate either a working section or an area where mechanized mining equipment is being installed or removed the following conditions must be met to assure the safety of the miners.

Proposed paragraph (c)(1) would require monitoring of the air current that will pass through the point-feed regulator for CO or smoke at a point within 50 feet upwind of the point-feed regulator. Proposed paragraph (c)(2) would require monitoring of the belt air for CO or smoke at a point within 50 feet upwind of the mixing point with air from the point-feed regulator. If the sensor in the intake air stream gives an alert or alarm signal, the fire in all likelihood will be in the intake air course upwind of the point-feed regulator. If the sensor in the belt entry gives the alert or alarm signal, the source of the contaminants is most likely in the belt entry upwind of the mixing point. With this knowledge, the operator can take whatever action is appropriate to evacuate miners from the affected area safely and begin firefighting efforts.

Proper installation and maintenance of point-feed regulators, when used, are critical since they are a major component of a ventilation system. Since point-feed regulators control the flow of air between two intake air

courses, the provisions of § 75.333(e)(1) (Ventilation controls) apply. Proposed paragraph (c)(3) would require that the point-feed regulator be provided with a means for remote closing without requiring persons to enter the air stream passing through the point-feed regulator. This would provide protection for those persons who may be required to close the point-feed regulator in case of an emergency. Remote closure is especially important if a fire starts in the intake air course upwind from the point-feed regulator. When the point-feed regulator is installed in the manner proposed, the person closing the point-feed regulator could approach upwind in the belt air course. This would enable the person to close the regulator without being exposed to the products of combustion coming through the point-feed regulator. By closing the point-feed regulator under these conditions, the amount of contaminants entering the belt air course could be limited, thus permitting miners to escape.

Proposed paragraph (c)(4) would require that a 300-fpm minimum air velocity be maintained through the point-feed regulator to prevent air reversals and reduce the potential for smoke rollback. The Advisory Committee considered the need to provide sufficient air quantity in the belt air course and recognized that sometimes supplying this air from the primary escapeway through a point-feed regulator may be necessary. The Advisory Committee determined that controlled point feeding is superior to ventilation of the belt air course through leakage. When point feeding is necessary, the Advisory Committee determined that point feeding from the primary escapeway into the belt air course be done under controlled conditions. In its discussion of point feeding, the Advisory Committee states, and we agree, that “\* \* \* while point feeding from the primary escapeway may be appropriate, point feeding into the primary escapeway from any other air course is never appropriate.” However, we do not intend this position to change the requirement of existing § 75.380(h) which permits ventilation of the primary and alternate escapeways from a common intake air shaft or slope.

Proposed paragraph (c)(5) would require the operator to submit a mine ventilation plan that includes the location of all point-feed regulators. The installation of the point-feed regulator must comply with existing § 75.333 and must meet the performance requirement of remote closure.

In addition, proposed paragraph (c)(5) would require that the locations of