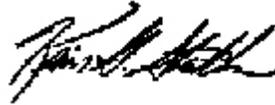


ISSUE DATE: 5/17/2011

PROGRAM INFORMATION BULLETIN NO. P11-40

FROM:

KEVIN G. STRICKLIN
Administrator for
Coal Mine Safety and Health



LINDA F. ZEILER
Acting Director of Technical Support



SUBJECT:

Reissue of P03-15 - Compliance with Diesel Particulate Matter Standard in Underground Coal Mines for Nonpermissible Heavy-Duty Diesel-Powered Equipment, Generators, and Compressors

Scope

This Program Information Bulletin (PIB) affects underground coal mine operators using diesel-powered equipment, manufacturers of diesel-powered underground mining equipment (including manufacturers of exhaust aftertreatment devices and systems), miners' representatives, and Mine Safety and Health Administration (MSHA) personnel.

Purpose

The purpose of this bulletin is to inform underground coal mine operators and Coal Mine Safety and Health (CMS&H) personnel about compliance requirements with 30 C.F.R. Section 72.501(a) effective May 21, 2001; 72.501(b) effective July 21, 2003; and Section 72.503. This bulletin should be utilized in conjunction with PIB Number P03-14 on "Diesel Particulate (DP) Filter Use and DP Equipment Maintenance Information for Underground Coal Mines."

Information

MSHA published a final rule on Diesel Particulate Matter (DPM) emissions in underground coal mines in the Federal Register on January 19, 2001, (66 FR 5526). This bulletin describes the compliance requirements for underground coal mine operators who intend to operate nonpermissible heavy-duty diesel-powered equipment, generators, or compressors underground on or after July 21, 2003.

1. After treatment devices must be installed on all nonpermissible heavy-duty diesel-powered equipment, generators, or compressors that emit more than 5.0 grams/hour when operated in an underground area of an underground coal mine as of July 21, 2003. Mine operators who do not comply will be cited for failure to implement DPM controls under 72.501(b).
2. MSHA will permit the operation of a nonpermissible heavy-duty machine introduced after July 21, 2003, for which an exhaust gas temperature profile must be run before the appropriate DPM filter can be selected. MSHA will allow operation of these machines without a filter for no more than 48 hours. However, the mine operator must first notify the local District Manager of the 48-hour period that the test will be run and provide the machine serial number. The operator must receive acknowledgement from the District Manager prior to placing the machine in the mine. In some instances, the District Manager may grant additional time up to 7 days to complete testing on a case-by-case basis for multi-use machines. Failure to obtain the acknowledgement and permission of the District Manager will result in a citation for violation of 72.501(b). The test allowance is not available for generators, compressors, or any other diesel-powered equipment.
3. The District Manager should be notified if the mine operator continues to be unable to meet the requirements of 75.500, 72.501(a) or (b), and 72.503. MSHA will provide compliance assistance with the DPM standards.
4. If the mine operator has installed aftertreatment devices, they must be maintained in accordance with 72.503.
5. If the mine operator does not have an aftertreatment device installed on or after July 21, 2003, MSHA will issue a citation. This citation shall require the mine operator to submit a compliance implementation schedule to the local District Manager. In establishing or extending an abatement period, the District Manager will consider whether the failure to install an aftertreatment device was due to: 1) non-availability from the engine manufacturer or exhaust aftertreatment device manufacturer, 2) a documented design problem, or 3) non-availability of an exhaust gas temperature profile for selecting an aftertreatment device. The mine operator's good faith efforts to install an effective aftertreatment device to meet the DPM emission requirements, as evidenced by

purchase orders with delivery dates and active involvement in testing of feasibility and modification of aftertreatment devices will be considered in the abatement process.

6. The PIB issued on May 31, 2002, (PIB-P02-04) on the "Potential Health Hazard Caused by Platinum-Based Catalyzed Diesel Particulate Matter Exhaust Filters" identified some platinum-based particulate filters as a source for generation of increased emissions of nitrogen dioxide (NO₂). This PIB remains in effect. MSHA can assist mine operators in choosing a filter that does not increase NO₂. A list of acceptable filters is provided on the MSHA website "Diesel Particulate Matter (DPM) Control Technologies" at (<http://www.msha.gov/01-995/Coal/DPM-FilterEfflist.pdf>).

Background

MSHA's final diesel particulate rule for underground coal mines established new requirements for the emission limits for permissible and nonpermissible diesel-powered equipment over a phased-in schedule. This bulletin clarifies the compliance responsibilities of underground coal mine operators with 30 C.F.R. Sections 72.501(a), 72.501(b), and 72.503.

Authority

30 C.F.R. Part 72 Subpart D and 30 C.F.R. Part 75 Subpart T

Issuing Offices and Contact Persons

Coal Mine Safety and Health, Health Division

Robert Thaxton, (202) 693-9515

E-mail: thaxton.robert@dol.gov

Technical Support, Approval and Certification Center

Jeffrey Moninger, (304) 547-2324

E-mail: moninger.jeffrey@dol.gov

Technical Support, Approval and Certification Center

Robert Reed, (304) 547-2043

E-mail: reed.robert@dol.gov

Internet Availability

This information bulletin may be viewed on the Internet by accessing MSHA's home page at (<http://www.msha.gov>) by choosing "Statutory and Regulatory Information" and "Compliance Assistance Information."

Distribution

Coal and All Volume Program Policy Manual Holders

Underground Coal Mine Operators

Special Interest Groups

Equipment Manufacturers