

SUPPORTING STATEMENT

30 C.F.R. Part 57, Subpart T; 30 CFR 57.22004(c), 57.22229, 57.22230, 57.22231, and 57.22239, Methane Detected in Mine Atmosphere. (Applies to underground metal and nonmetal mines.)

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and of each regulation mandating or authorizing the collection of information.

Methane is a flammable gas found in underground mining. Although methane is often associated with underground coal mines, it also occurs in some metal and nonmetal mines. The potential for methane exists in every underground mine in the United States. Methane is a colorless, odorless, tasteless gas, and it tends to rise to the roof of a mine because it is lighter than air. Although methane itself is nontoxic, its presence reduces the oxygen content by dilution when mixed with air, and consequently can act as an asphyxiant when present in large quantities.

Methane may enter the mining environment from a variety of sources including fractures, faults, or shear zones overlying or underlying the strata that surround the ore body, or from the ore body itself. It may occur as an occluded gas within the ore body. Methane mixed with air is explosive in the range of 5 to 15 percent, provided that 12 percent or more oxygen is present. The presence of dust containing volatile matter in the mine atmosphere may further enhance the explosion potential of methane in a mine. Section 103(I) of the Federal Mine Safety and Health Act of 1977 (Mine Act) requires additional inspections to be conducted at mines depending on the amount of methane liberated from a mine.

Standards 57.22004(c), 57.22231, and 57.22239 require operators of underground metal and nonmetal mines to notify Mine Safety and Health Administration (MSHA) as soon as possible if any of the following events occur; (a) there is an outburst that results in 0.25 percent or more methane in the mine atmosphere, (b) there is a blowout that results in 0.25 percent or more methane in the mine atmosphere, (c) there is an ignition of methane, (d) air sample results indicate 0.25 percent or more methane in the mine atmosphere of a I-B, I-C, II-B, V-B, or Category VI mine. If methane reaches 2.0 percent in a Category IV mine; or methane reaches 0.25 percent in the mine atmosphere of a Subcategory I-B, II-B, V-B, and VI mines MSHA shall be notified immediately. Although the standards do not specify how MSHA is to be notified, MSHA anticipates that the notifications would be made by telephone.

Standards 57.22229 and 57.22230 require that the mine atmosphere be tested for methane by a competent person or atmospheric monitoring system at least once every seven days, or a combination of both. Standards 57.22229(d) and 57.22230(c) require that the person performing the tests certify by signature and date that the tests have been conducted. Certifications of examinations shall be kept for at least one year and made available to authorized representatives of the Secretary of Labor.

Where examinations disclose hazardous conditions, affected miners must be informed.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. For revisions, extensions, and reinstatements of a currently approved collection, indicate the actual use the agency has made of the information received from the current collection.

MSHA estimates that a methane event will occur once every five years that would require notification under Standards 57.22004(c), 57.22231, and 57.22239. If a methane event occurs that requires notification pursuant to standard 57.22004(c), the Administrator for Metal and Nonmetal is required to appoint a MSHA committee to investigate the occurrence. Based on the written findings of that investigation, the Administrator decides if the mine is classified in the appropriate category as specified in 57.22003 and 57.22004.

If notification is made pursuant to standard 57.22231 or 57.22239, the MSHA District Manager of the district in which the mine is located decides whether the event requires any action by the Agency.

Certifications made under 57.22229(d) and 57.22230(c) are reviewed by MSHA inspectors during on-site inspections to verify that weekly tests are being conducted. Certification records are reviewed at least once each calendar quarter.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

No improved information technology has been identified that would reduce the burden. However, in order to comply with the Government Paperwork Elimination Act, mine operators may retain the records in whatever method they choose, which may include utilizing computer technology.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in 2 above.

There is no similar or duplicate information that could be used. The information reported pertains to a particular methane occurrence at the mine.

5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities (item 15 of the Paperwork Reduction Act Submission form), describe the methods used to minimize burden.

This information does not have a significant impact on small businesses or other small entities. However, MSHA has made available on our web-site various sources of information, such as "Technical Assistance," "Best Practices," and an "Accident Prevention" site. To assist with compliance, these provide tips and general information on a number of various topics.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

MSHA has determined that these requirements are the minimum necessary to ensure safety. Further reduction of these requirements could allow unsafe conditions to develop. Section 101(a)(9) of the Mine Act prohibits any regulatory action that would reduce the protection given miners by an existing regulation.

7. Explain any special circumstances that would cause an information collection to be conducted in a

manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- * in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Requirements are consistent with the general information collection guidelines in 5 CFR 1320.5. This information collection request does not contain any requirements for respondents to report more than quarterly.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to the comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In accordance with 5 CFR 1320.8 (d), MSHA will publish the proposed information collection requirements in the Federal Register, notifying the public that these information collection requirements are being reviewed in accordance with the Paperwork Reduction Act of 1995, and giving interested

persons sixty (60) days to submit comments.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

MSHA has made no decision to provide any form of compensation to the respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No records requiring confidentiality are required.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The requirements contain no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

Although standards 57.22004(c), 57.22231, and 57.22239 do not specify how the mine operator is to notify MSHA, it is anticipated that a metal and nonmetal mine supervisor, with an estimated hourly salary of \$46.37, will notify MSHA by telephone and the telephone call would be about 15 minutes (0.25 hour) in duration. Salaries used in MSHA's calculations were derived from the U.S. Metal and Industrial Mineral Mine Salaries, Wages, and Benefits Results Survey 2004.

Burden hours:

$$1 \text{ occurrence} \times 0.25 \text{ hours} = .25 \text{ hours}$$

Burden cost:

$$.25 \text{ hours} \times \$46.37 = \$11.59$$

There are eight mines affected by standards 57.22229(d) and 57.22230(c). These mines use a combination of atmospheric monitoring systems and competent persons to perform the required tests. The atmospheric monitoring systems measure the mine atmosphere continuously at most testing locations. The weekly certification record is either computer generated or consists of a log containing signature and date entries by competent persons. Each weekly certification takes approximately 5 minutes (0.083 hour) and is completed by a metal and nonmetal mine supervisor with an estimated hourly salary of \$46.37 per hour.

Hour Burden:

$$8 \text{ mines} \times 52 \text{ certifications} \times 0.083 \text{ hours} = 34.5 \text{ hours}$$

Hour Burden Cost:

$$34.5 \text{ hours} \times \$46.37/\text{hour} = \$1,600$$

In addition, standards 57.22229(c) and 57.22230(b) require mine operators to inform all affected miners when such examinations disclose hazardous conditions. Affected persons are informed by means of

automatic warning devices triggered by an atmospheric monitoring system or by radio, telephone or word of mouth. Based on past experience, hazardous conditions are rarely found; however for burden calculations MSHA estimates one event per annum at each of the seven mines affected by the standards.

Approximate time to inform affected persons is 10 minutes (0.1667 hour) per occurrence. A mine management official with an estimated hourly salary of \$44.93 per hour would inform affected miners.

Hour Burden:

$$8 \text{ mines} \times 1 \text{ occurrence} \times 0.1667 \text{ hours} = 1.3 \text{ hours}$$

Hour Burden Cost:

$$1.3 \text{ hours} \times \$46.37/\text{hour} = \$60$$

$$\text{TOTAL BURDEN HOURS:} = 35.8 \text{ HOURS}$$

$$\text{TOTAL BURDEN HOUR COSTS:} = \$1,660$$

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

There are no costs to respondents or recordkeepers resulting from the collection of this information.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Federal inspection costs have not been associated specifically for standards 57.22229(d) and 57.22230(c). The review of weekly certifications is just one aspect of MSHA's statutorily-required inspection. It is estimated that a typical review of weekly certifications takes five minutes per quarterly inspection. Complete inspections are required under Section 103(a) of the Mine Act and are required four times a year for underground mines.

Further, Section 103(i) of the Mine Act requires MSHA to partially inspect mines liberating specified amounts of methane on five, ten, or fifteen day intervals, depending on the amount of methane liberated. The certifications are reviewed by Agency enforcement personnel during those required inspections. For FY 2003, 2004 and 2005 an average of 225 103(i) inspections per year were conducted. These inspections took an average of 4.6 hours per inspection. The average grade and salary of an MSHA inspector is GS 12/5, at \$61449 per annum or \$29.44 per hour.

$$\begin{aligned} \$29.44/\text{hour} \times 4.6/\text{hours}/\text{inspection} &= \$135.42/\text{inspection} \\ \$135.42/\text{inspection} \times 225 \text{ inspections}/\text{year} &= \$30,470 \text{ per year for 103(i) inspections} \end{aligned}$$

$$\text{Estimate of annualized cost to the Federal government} = \$30,470$$

MSHA estimates a methane emission will occur once every five years that would require notification under Standards 57.22004(c), 57.22231, and 57.22239. However, for the purpose of estimating burden, one occurrence per year will be used. Normally the investigation committee appointed by the Administrator for Metal and Nonmetal would consist of three individuals: a committee chairman selected from

headquarters staff; one technical specialist selected from Technical Support; and an inspector familiar with the mine. Committee members would conduct the field investigation that would normally take three days (24 hours including travel time). Research and report writing would involve five additional days (40 hours) for the committee chairman and technical specialist.

Committee chairman, GS 13/5 (\$35.01 per hour) X 64 hours	= \$2,241
Technical specialist, GS 13/5 (\$35.01 per hour) X 64 hours	= \$2,241
Inspector , GS 12/5 (\$29.44 per hour) X 24 hours	= \$ 707
Total Federal burden for 57.22004 Investigations	= \$5,189
TOTAL FEDERAL BURDEN FOR 103(i) INSPECTIONS	= \$30,470/YR
TOTAL FEDERAL BURDEN FOR 57.22004 INVESTIGATIONS	= \$ 5,189/YR
TOTAL FEDERAL BURDEN	= \$35,659/YR

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

The slight increase in hours was due to the addition of one mine. The cost remains the same at \$0.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There are no statistical aspects.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

There are no forms on which to display the expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no certification exceptions identified with this information collection.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Describe (including numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.

As statistical analysis is not required by the regulation, questions 1 through 5 do not apply.

2. Describe the procedures for the collection of information including:

- **Statistical methodology for stratification and sample selection,**
- **Estimation procedure,**
- **Degree of accuracy needed for the purpose described in the justification,**
- **Unusual problems requiring specialized sampling procedures, and**
- **Any use of periodic (less frequently than annual) data collection cycles to reduce burden.**

3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.

4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.

5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

**Federal Mine Safety & Health Act of 1977,
Public Law 91-173,
as amended by Public Law 95-164**

An Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be cited as the "Federal Mine Safety and Health Act of 1977".

INSPECTIONS, INVESTIGATIONS, AND RECORDKEEPING

SEC. 103.

- (i) Whenever the Secretary finds that a coal or other mine liberates excessive quantities of methane or other explosive gases during its operations, or that a methane or other gas ignition or explosion has occurred in such mine which resulted in death or serious injury at any time during the previous five years, or that there exists in such mine some other especially hazardous condition, he shall provide a minimum of one spot inspection by his authorized representative of all or part of such mine during every five working days at irregular intervals. For purposes of this subsection, "liberation of excessive quantities of methane or other explosive gases" shall mean liberation of more than one million cubic feet of methane or other explosive gases during a 24-hour period. When the Secretary finds that a coal or other mine liberates more than five hundred thousand cubic feet of methane or other explosive gases during a 24-hour period, he shall provide a minimum of one spot inspection by his authorized representative of all or part of such mine every 10 working days at irregular intervals. When the Secretary finds that a coal or other mine liberates more than two hundred thousand cubic feet of methane or other explosive gases during a 24-hour period, he shall provide a minimum of one spot inspection by his authorized representative of all or part of such mine every 15 working days at irregular intervals.

Subpart T_Safety Standards for Methane in Metal and Nonmetal Mines

[Code of Federal Regulations]

[Title 30, Volume 1]

[Revised as of July 1, 2005]

From the U.S. Government Printing Office via GPO Access

[CITE: 30CFR57.22004]

[Page 402-403]

TITLE 30--MINERAL RESOURCES

CHAPTER I--MINE SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 57_SAFETY AND HEALTH STANDARDS_UNDERGROUND METAL AND NONMETAL

MINES--Table of Contents

Subpart T_Safety Standards for Methane in Metal and Nonmetal Mines

Sec. 57.22004 Category placement or change in placement.

The Administrator for Metal and Nonmetal Mine Safety and Health (Administrator) shall be responsible for category and subcategory placement, change in placement, and notification of placement of mines.

(a) The Administrator's proposed notice of placement or change in placement shall be sent to the mine operator and the appropriate representative of miners and shall include--

- (1) The category or subcategory;
- (2) The reasons for placement or change in placement;

February 2006

(3) The data considered;

(4) The applicable standards and a time schedule for the mine operator to achieve compliance;

(5) Whether or not conditions encountered during primary or access development are transient or permanent; and

(6) Notification of the right to appeal the Administrator's determination under Sec. 57.22005.

(b) The operator or the representative of the miners shall have the right to request of the Administrator reassignment of the mine to a more appropriate category or subcategory if, based on operating experience, the conditions set forth in Sec. 57.22003(b) indicate that the hazards of methane exist under circumstances more appropriately governed by a different category or subcategory. In response to such a request, the procedures set forth in paragraph (d) of this section shall apply. While the request for category or subcategory reassignment is pending, the mine shall continue to operate under the standards for the category or subcategory to which originally assigned.

(c) MSHA shall be notified as soon as possible if any of the following events occur:

(1) An outburst that results in 0.25 percent or more methane in the mine atmosphere;

(2) A blowout that results in 0.25 percent or more methane in the mine atmosphere;

(3) An ignition of methane; or

(4) Air sample results that indicate 0.25 percent or more methane in the mine atmosphere of a Subcategory I-B, I-C, II-B, V-B or Category VI mine.

(d) The Administrator shall promptly appoint an MSHA committee to investigate occurrences reported in accordance with paragraph (c) of this section or requests filed in accordance with paragraph (b) of this section. Upon completion of an investigation, the committee shall make a written report of the findings. These investigations

[[Page 403]]

may include an evaluation of the following:

- (1) Source, nature, and extent of occurrences;
- (2) Conditions under which the incident occurred;
- (3) Samples and tests;
- (4) Physical conditions at the time of the occurrence;
- (5) Charts, logs, and records related to the occurrence;
- (6) Whether the occurrence is isolated, continuous, or could recur;
- (7) Conditions indicating that the hazards of methane no longer exist or exist under circumstances more appropriately governed by a different category or subcategory;
- (8) The geology of the mine and the geological area in which the mine is located; and
- (9) Statements by witnesses, company officials, employees, and other persons having knowledge of the mine or the occurrence. Representatives of the mine operator, the miners and the appropriate State agency may participate in the investigation.

[52 FR, 24941, July 1, 1987, as amended at 52 FR 41397, Oct. 27, 1987; 60 FR 33722, June 29, 1995]

[Code of Federal Regulations]

[Title 30, Volume 1]

[Revised as of July 1, 2005]

From the U.S. Government Printing Office via GPO Access

[CITE: 30CFR57.22229]

[Page 409]

TITLE 30--MINERAL RESOURCES

CHAPTER I--MINE SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 57_SAFETY AND HEALTH STANDARDS_UNDERGROUND METAL AND NONMETAL

MINES--Table of Contents

Subpart T_Safety Standards for Methane in Metal and Nonmetal Mines

Sec. 57.22229 Weekly testing (I-A, III, and V-A mines).

(a) The mine atmosphere shall be tested for methane and carbon monoxide at least once every seven days by a competent person or an atmospheric monitoring system, or a combination of the two. Such testing shall be done at the following locations:

- (1) The return of each split where it enters the main return;
- (2) Adjacent to retreat areas, if accessible;
- (3) At least one seal of each sealed area, if accessible;
- (4) Main returns;
- (5) At least one entry of each intake and return;

February 2006

(6) Idle workings; and

(7) Return air from unsealed abandoned workings.

(b) The volume of air (velocity in Subcategory I-A mines) shall be measured at least once every seven days by a competent person. Such measurement shall be done at the following locations:

(1) Entering main intakes;

(2) Leaving main returns;

(3) Entering each main split;

(4) Returning from each main split; and

(5) In the last open crosscuts or other ventilation openings nearest the active faces where the air enters the return.

(c) Where such examinations disclose hazardous conditions, affected persons shall be informed and corrective action shall be taken.

(d) Certification of examinations shall be made by signature and date. Certifications shall be retained for at least one year and made available to authorized representatives of the Secretary.

[52 FR, 24941, July 1, 1987, as amended at 52 FR 41397, Oct. 27, 1987]

[Code of Federal Regulations]

[Title 30, Volume 1]

[Revised as of July 1, 2005]

From the U.S. Government Printing Office via GPO Access

[CITE: 30CFR57.22230]

[Page 409-410]

TITLE 30--MINERAL RESOURCES

CHAPTER I--MINE SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 57_SAFETY AND HEALTH STANDARDS_UNDERGROUND METAL AND NONMETAL

MINES--Table of Contents

Subpart T_Safety Standards for Methane in Metal and Nonmetal Mines

Sec. 57.22230 Weekly testing (II-A mines).

(a) The mine atmosphere shall be tested for methane at least once every seven days by a competent person or an atmospheric monitoring system, or a

[[Page 410]]

combination of the two. Such testing shall be done at the following locations:

- (1) Active mining faces and benches;
- (2) Main returns;

February 2006

- (3) Returns from idle workings;
- (4) Returns from abandoned workings; and
- (5) Seals.

(b) Where such examinations disclose hazardous conditions, affected persons shall be informed and corrective action shall be taken.

(c) Certification of examinations shall be made by signature and date. Certifications shall be kept for at least one year and made available to authorized representatives of the Secretary.

[52 FR, 24941, July 1, 1987, as amended at 52 FR 41397, Oct. 27, 1987;
60 FR 33723, June 29, 1995]

[Code of Federal Regulations]

[Title 30, Volume 1]

[Revised as of July 1, 2005]

From the U.S. Government Printing Office via GPO Access

[CITE: 30CFR57.22231]

[Page 410]

TITLE 30--MINERAL RESOURCES

CHAPTER I--MINE SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 57_SAFETY AND HEALTH STANDARDS_UNDERGROUND METAL AND NONMETAL MINES--Table of Contents

Subpart T_Safety Standards for Methane in Metal and Nonmetal Mines

Sec. 57.22231 Actions at 0.25 percent methane (I-B, II-B, V-B, and VI mines).

If methane reaches 0.25 percent in the mine atmosphere, changes shall be made to improve ventilation, and MSHA shall be notified immediately.

[Code of Federal Regulations]

[Title 30, Volume 1]

[Revised as of July 1, 2005]

From the U.S. Government Printing Office via GPO Access

[CITE: 30CFR57.22239]

[Page 411]

TITLE 30--MINERAL RESOURCES

CHAPTER I--MINE SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 57_SAFETY AND HEALTH STANDARDS_UNDERGROUND METAL AND NONMETAL

MINES--Table of Contents

Subpart T_Safety Standards for Methane in Metal and Nonmetal Mines

Sec. 57.22239 Actions at 2.0 percent methane (IV mines).

If methane reaches 2.0 percent in the mine atmosphere, all persons other than competent persons necessary to make ventilation changes shall be withdrawn from the mine until methane is reduced to less than 0.5 percent. MSHA shall be notified immediately.

[52 FR, 24941, July 1, 1987, as amended at 52 FR 41397, Oct. 27, 1987;
60 FR 33723, June 29, 1995]

February 2006