
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 427

The Mines Regulations (Northern Ireland) 2016

PART 5

THE MINE ENVIRONMENT

Inhalable and respirable dust in coal mines

Application of COSHH below ground in coal mines

44. In their application below ground in coal mines, COSHH shall be read as if the Executive had not approved a workplace exposure limit for respirable crystalline silica.

Assessment and control of inhalable and respirable dust in coal mines

45.—(1) This regulation applies below ground in coal mines.

(2) The mine operator shall carry out a suitable assessment of the risk to the health of persons at work below ground at the mine created by exposure to inhalable dust.

(3) The mine operator shall ensure that the assessment is—

(a) recorded; and

(b) reviewed and, where appropriate, revised if there is reason to suspect that there has been a material change in the matters to which it relates.

(4) The mine operator shall ensure that the exposure to inhalable dust of persons at work below ground at the mine is either prevented or, where that is not reasonably practicable, reduced to as low a level as is reasonably practicable.

(5) The mine operator shall have in place suitable arrangements for sampling the levels of respirable dust and respirable crystalline silica to which persons at work are exposed below ground at the mine.

(6) If a sample exceeds the action level for respirable dust or respirable crystalline silica, the mine operator shall—

(a) determine the reason why the relevant action level was exceeded;

(b) ensure that appropriate remedial action is taken; and

(c) ensure that appropriate further sampling is carried out for the purpose of assessing the effectiveness of any remedial action.

(7) The mine operator shall ensure that every person who is, or is likely to be, exposed to inhalable dust is placed under suitable health surveillance, unless the exposure is not significant.