

**DEPARTMENT OF LABOR****Mine Safety and Health Administration**

[OMB Control No. 1219-0024]

**Proposed Extension of Existing Information Collection; Application for Waiver of Surface Sanitary Facilities' Requirements (Pertaining to Coal Mines)****AGENCY:** Mine Safety and Health Administration, Labor.**ACTION:** Notice of request for public comments.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 [44 U.S.C. 3506(c)(2)(A)]. This program helps to assure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the extension of the information collection for applications for waiver of surface sanitary facilities' requirements at coal mines.

**DATES:** All comments must be received by midnight Eastern Standard Time on February 15, 2011.

**ADDRESSES:** Comments must clearly be identified with the rule title and may be submitted to MSHA by any of the following methods:

(1) *Electronic mail:* zzMSHA-Comments@dol.gov.

(2) *Facsimile:* (202) 693-9441.

(3) *Regular Mail:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Blvd., Room 2350, Arlington, VA 22209-3939.

(4) *Hand Delivery or Courier:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Blvd., Room 2350, Arlington, VA 22209-3939. Sign in at the receptionist's desk on the 21st floor.

**FOR FURTHER INFORMATION CONTACT:** Mario Distasio, Chief of the Economic Analysis Division, Office of Standards, Regulations, and Variances, MSHA, at *distasio.mario@dol.gov* (e-mail), 202-693-9445 (voicemail), 202-693-9441 (facsimile).

**SUPPLEMENTARY INFORMATION:****I. Background**

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813, authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners.

Title 30 CFR 71.400 through 71.402 and 75.1712-1 through 75.1712-3 require coal mine operators to provide bathing facilities, clothing change rooms, and sanitary flush toilet facilities in a location that is convenient for use of the miners. If the operator is unable to meet any or all of the requirements, he/she may apply for a waiver. Title 30 CFR 71.403, 71.404, 75.1712-4, and 75.1712-5 provide procedures by which an operator may apply for and be granted a waiver.

Waivers for surface mines may be granted by the District Manager for a period not to exceed one year. If the waiver is granted, surface mine operators may apply for annual extensions of the approved waiver. Waivers for underground mines may be granted by the District Manager for the period of time requested by the underground mine operator as long as the circumstances that were used to justify granting the waiver remain in effect. Waivers are not transferable to a successor coal mine operator.

**II. Desired Focus of Comments**

MSHA is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, or viewed on the Internet by selecting "Rules & Regs", and then selecting "FedReg.Docs". On the

next screen, select "Paperwork Reduction Act Supporting Statement" to view documents supporting the **Federal Register** notice.

**III. Current Actions**

This notice contains the request for an extension of the existing collection of information in 30 CFR 71.403, 71.404, 75.1712-4, and 75.1712-5, concerning applications for waivers or extensions of waivers for surface sanitary facilities' requirements at coal mines. MSHA does not intend to publish the results from this information collection and is not seeking approval to either display or not display the expiration date for the OMB approval of this information collection.

There are no certification exceptions identified with this information collection and the collection of this information does not employ statistical methods.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*OMB Number:* 1219-0024.

*Frequency:* On Occasion.

*Affected Public:* Business or other for-profit.

*Cost to Federal Government:* \$3,044.

*Total Burden Respondents:* 933.

*Total Number of Responses:* 933.

*Total Burden Hours:* 357.

*Total Hour Burden Cost (operating/maintaining):* \$19,612.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection extension request; they will also become a matter of public record.

Dated: December 13, 2010.

**Patricia W. Silvey,**

*Director, Office of Standards, Regulations, and Variances.*

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**BILLING CODE 4510-43-P**

**DEPARTMENT OF LABOR****Mine Safety and Health Administration**

[OMB Control No. 1219-0003]

**Proposed Extension of Existing Information Collection; Radiation Sampling and Exposure Records (Pertains to Underground Metal and Nonmetal Mines)****AGENCY:** Mine Safety and Health Administration, Labor.**ACTION:** Notice of request for public comments.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce