

mines (30 CFR parts 56 and 57); and underground coal and surface work areas of underground coal mines (30 CFR parts 75 and 77).

Title 30 CFR 56/57.19022 and 30 CFR 75/77.1432 requires the diameter of newly installed wire rope to be measured at least once in every third interval of the rope's active length to establish a baseline for subsequent semiannual measurements. A record of the measurements is required to be made and retained until the rope is retired from service.

Title 30 CFR 56/57.19023 and 30 CFR 75/77.1433 require the wire rope to be visually examined at least every fourteen days for visible structural damage, corrosion, and improper lubrication or dressing. If the examination reveals weakening portions of the rope, the weakened portions must be monitored daily for further deterioration until retirement criteria require that the rope be removed from service. The person conducting the examination must certify that the examination was made and the record must be retained for one year.

Title 30 CFR 56/57.19121 requires the person conducting the inspection, test or examination of hoisting equipment certify that these activities have been done. Any unsafe conditions must be noted in a record and dated. All certifications and records must be retained for one year.

Title 30 CFR 75.1400–2 requires a record to be made of tests conducted on safety catches. Safety catches are the last means to safely stop a falling conveyance in the event of rope or equipment failure.

Title 30 CFR 75.1400–4 and 77.1404 require a record to be made of each daily examination. If any unsafe condition is found during the examination, the person conducting the examination must make a record of the condition. All certifications and records must be retained for one year.

Title 30 CFR 77.1906 requires a daily examination of hoists used for shaft sinking. If any unsafe condition is found during the examination, the person conducting the examination must make a record of the condition. All certifications and records must be retained for one year.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection related to Records of Tests and Examinations of Mine Personnel Hoisting Equipment. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;

- Evaluate the accuracy of the MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

- Suggest methods to 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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This information collection request is available on <http://www.msha.gov/regs/fedreg/informationcollection/informationcollection.asp>. The information collection request will be available on MSHA's Web site and on <http://www.regulations.gov>. MSHA cautions the commenter against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on www.regulations.gov and www.reginfo.gov.

The public may also examine publicly available documents at MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, VA. Sign in at the receptionist's desk on the 21st floor.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This request for collection of information contains provisions for Records of Tests and Examinations of Mine Personnel Hoisting Equipment. MSHA has updated the data in respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219–0034.

Affected Public: Business or other for-profit.

Number of Respondents: 250.

Frequency: On occasion.

Number of Responses: 74,715.

Annual Burden Hours: 5,989 hours.

Annual Respondent or Recordkeeper Cost: \$300,000.

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

Dated: February 21, 2014.

Patricia W. Silvey,
Certifying Officer.

[FR Doc. 2014–04249 Filed 2–26–14; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219–0048]

Proposed Information Collection; Respirator Program Records

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: 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 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 on the information collection for Respirator Program Records.

DATES: All comments must be received on or before April 28, 2014.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments for docket number [MSHA–2013–0046].

- *Regular Mail:* Send comments to MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209–3939.

- *Hand Delivery:* MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, VA. Sign in at the receptionist's desk on the 21st floor.

FOR FURTHER INFORMATION CONTACT:

Sheila McConnell, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at MSHA.information.collections@dol.gov (email); 202-693-9440 (voice); or 202-693-9441 (facsimile).

SUPPLEMENTARY INFORMATION:**I. Background**

Section 101(a), 30 U.S.C. 811(a), allows MSHA to promulgate standards that would require operators to make and retain records from which MSHA would then be allowed to collect information. Section 103(h), 30 U.S.C. 813(h), of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 801 et seq., authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners.

Title 30 CFR 56.5005 and 57.5005 require, whenever respiratory equipment is used, that metal and nonmetal mine operators institute a respirator program governing selection, maintenance, training, fitting, supervision, cleaning, and use of respirators. These standards seek to control miner exposure to harmful airborne contaminants by using engineering controls to prevent contamination and vent or dilute the contaminated air. However, where accepted engineering control measures have not been developed or when necessary by the nature of work involved (for example, while establishing controls or occasional entry into hazardous atmospheres to perform maintenance or investigation), employees may work for reasonable periods of time in concentrations of airborne contaminants exceeding permissible levels if they are protected by appropriate respiratory protective equipment.

Sections 56.5005 and 57.5005 incorporate by reference, requirements of the American National Standards Institute's Practices for Respiratory Protection (ANSI Z88.2-1969). These incorporated requirements mandate that miners who must wear respirators be fit-tested to the respirators that they will use. Certain records are also required to be kept in connection with respirators, including: Written standard operating procedures governing the selection and use of respirators; records of the date of issuance of the respirator; and fit-test results.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection related to Respirator Program

Records. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to 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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This information collection request is available on <http://www.msha.gov/regs/fedreg/informationcollection/informationcollection.asp>. The information collection request will be available on MSHA's Web site and on <http://www.regulations.gov>. MSHA cautions the commenter against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on www.regulations.gov and www.reginfo.gov.

The public may also examine publicly available documents at MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, VA. Sign in at the receptionist's desk on the 21st floor.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

III. Current Actions

This request for collection of information contains provisions for Respirator Program Records. MSHA has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219-0048.

Affected Public: Business or other for-profit.

Number of Respondents: 300.

Frequency: On occasion.

Number of Responses: 5,400.

Annual Burden Hours: 3,074 hours.

Annual Respondent or Recordkeeper Cost: \$90,000.

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

Dated: February 21, 2014.

Patricia W. Silvey,

Certifying Officer.

[FR Doc. 2014-04251 Filed 2-26-14; 8:45 am]

BILLING CODE 4510-43-P

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

[OMB Control No. 1219-0046]

Proposed Information Collection; Escape and Evacuation Plans (Pertains to Underground Metal and Nonmetal Mines)

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: 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 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 on Escape and Evacuation Plans, 30 CFR 57.11053.

DATES: All comments must be submitted on or before April 28, 2014.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments for docket number [MSHA-2013-0045].

- *Regular Mail:* Send comments to MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939.

SUPPORTING STATEMENT

Respirator Program Records 30 CFR 56.5005 and 57.5005 (pertains to metal and nonmetal surface and underground mines)

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses or employ statistical methods” is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

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 regulation mandating or authorizing the collection of information.

Section 101(a), 30 U.S.C. 811(a), allows MSHA to promulgate standards that would require operators to make and retain records from which MSHA would then be allowed to collect information. Section 103(h), 30 U.S.C. 813(h), of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 801 et seq., authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners.

Title 30 CFR 56.5005 and 57.5005 require, whenever respiratory equipment is used, that metal and nonmetal mine operators institute a respirator program governing selection, maintenance, training, fitting, supervision, cleaning, and use of respirators. These standards seek to control miner exposure to harmful airborne contaminants by using engineering controls to prevent contamination and vent or dilute the contaminated air. However, where accepted engineering control measures have not been developed or when necessary by the nature of work involved (for example, while establishing controls or occasional entry into hazardous atmospheres to perform maintenance or investigation), employees may work for reasonable periods of time in concentrations of airborne contaminants exceeding permissible levels if they are protected by appropriate respiratory protective equipment.

Sections 56.5005 and 57.5005 incorporate by reference requirements of the American National Standards Institute's Practices for Respiratory Protection (ANSI Z88.2-1969). These incorporated requirements mandate that miners who must wear respirators be fit-tested to the respirators that they will use. Certain records are also required to be kept in connection with respirators, including: written standard operating procedures governing the selection and use of respirators; records of the date of issuance of the respirator; and fit-test results.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The mine operator uses the information to properly issue respiratory protection to miners when feasible engineering and/or administrative controls do not reduce miners' exposures to permissible levels. Fit-testing records are used to ensure that a respirator worn by an individual is the same brand, model, and size respirator that was worn when that individual successfully passed a fit-test. MSHA uses the information to determine compliance with the standard.

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.

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

Procedures are developed based on conditions at individual mines. No similar or duplicate information exists.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This information does not have a significant impact on small businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The health and safety of miners required to use such respirators could be jeopardized without the collection of this information. The development of a respirator program that addresses the selection, use, and care of respirators is typically a one-time project. However, in instances where the levels or types of airborne contaminants in mines change

significantly, mine operators may be required to amend their respirator programs to address these new conditions. There is no specified interval for fit-testing. However, in instances where the mine operator is found to be out of compliance with respirator use or maintenance requirements, MSHA inspectors may determine that it is necessary to inspect fit-testing records for the respirators that are used by miners, to assess whether miners are protected by appropriate respiratory protective equipment.

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 secrets, 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.**

This collection of information is consistent with the guidelines in 5 CFR 1320.5.

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 these 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 (IC) requirements in the *Federal Register*, notifying the public that these IC requirements are being reviewed in accordance with the Paperwork Reduction Act of 1995, and giving interested persons 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 does not provide payments or gifts to respondents.

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

There is no assurance of confidentiality provided to respondents.

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.

There are no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

*** Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

*** If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**

*** Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under 'Annual Cost to Federal Government'.**

The development of a respirator program that addresses the selection, use, and care of

respirators is typically a one-time project. However, in instances where the levels or types of airborne contaminants in mines change significantly, mine operators may be required to amend their respirator programs to address these new conditions. Reference materials are readily available to the mine operator. Most operators initially prepare these procedures based on the employer responsibility recommended requirements contained in ANSI Z88.2-1969, section 3.3, which references the minimal acceptable program outlined in section 3.5 (and subsequent sub-references). Respirator manufacturers also provide detailed instructions with each respirator on proper use and fitting. Based on MSHA industrial hygienists' experience, MSHA estimates that mine operators will spend an average of 8 hours per year to fulfill the requirements of the standards.

RESPONDENTS: MSHA's records show that there are approximately **300** metal and nonmetal mining/milling operations that will have to comply with this standard annually.

$$300 \text{ mines} \times 8 \text{ hours per yr.} = 2,400 \text{ hours}$$

Miners who are required to wear respirators are required to be fit-tested and records are required to be kept of the results. MSHA's records show that approximately 1,500 miners would be fit-tested once per year, requiring 15 minutes (0.25 hours) per fit-test with the record keeping being done simultaneously. Therefore, the fit-testing time estimates include a record keeping requirement of this standard. Any new miners hired, as well as currently employed miners who would be required to wear a respirator, are included in the calculation.

$$1,500 \text{ miners per yr.} \times 0.25 \text{ hour per miner} = 375 \text{ hours}$$

The ANSI standard, incorporated by reference in the MSHA standard, requires that records be kept of inspection dates and findings for respirators maintained for emergency use. Special respirators (such as those to be used in atmospheres immediately harmful to life) that are not routinely used but kept ready for emergency use are required to be inspected after each use and at least monthly to ensure that they are in satisfactory working condition. MSHA estimates that it takes 5 minutes (0.083 hours) to inspect a special emergency respirator. MSHA estimates one emergency respirator per mine.

$$12 \text{ inspections per yr.} \times 300 \text{ special emergency respirators} = 3,600 \text{ responses}$$

$$3,600 \text{ responses} \times 5 \text{ minutes (0.083 hour)} = 299 \text{ hours}$$

$$\textbf{TOTAL RESPONSES} = \textbf{300 (mines)} + \textbf{1,500 (miners)} + \textbf{3,600 (inspections)}$$

$$= \textbf{5,400}$$

$$\textbf{TOTAL BURDEN HOURS} = \textbf{2,400 (program fulfillment)} + \textbf{375 (fit testing)} +$$

$$\textbf{299 (emergency respirator inspection)} = \textbf{3,074 hours}$$

Cost: MSHA based salary cost figures used in these calculations on Data from the *U.S. Metal & Industrial Mineral Mine Salaries, Wages, & Benefits – 2012 Survey Results*

Respirator program establishment and maintenance, including fit-testing, record keeping and acquisition:

3,074 hours x \$69.60 safety supervisor hourly wage rate = \$ 213,936

Total Burden Hour Cost = \$ 213,936

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

*** The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**

*** If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**

*** Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

MSHA estimates that equipment and supplies required to conduct respirator fit-tests would average about \$300 per mine per year. The total cost burden is approximately **\$90,000** annually for 300 mines.

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.

MSHA personnel examines records by during routine inspections, and there is no additional cost to the Federal government associated with this burden.

15. Explain the reasons for any program changes or adjustments reported on the burden worksheet.

MSHA data indicates that the number of affected respondents/mines has decreased; there was a decrease in the number of mines from 400 to 300. Responses decreased from 7,200 to 5,400.

Burden hours increased from 2,898 to 3,074 (an increase of 806 hours) due to the increase in 3 hours (from 5 to 8) needed annually for mine operator's to fulfill the administrative requirements of the standards including the paperwork associated with selecting and purchase of respirators, parts, and accessories as equipment reaches its expected useful life.

16. For collections of information whose results will 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.

MSHA does not intend to publish the results of this IC.

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 associated with this IC; therefore, MSHA is not seeking approval to not display the expiration date for OMB approval of this IC.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement on the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

B. Collection of Information Employing Statistical Methods

There is no statistical methodology involved in this collection.