

## I. Background

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, Section 101(a) of the Mine Act, 30 U.S.C. 811 authorizes the Secretary to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines.

The Mine Act, as amended, 30 U.S.C. 801 et seq., recognizes that education and training in the improvement of miner health and safety is an important element of federal efforts to make the nation's mines safe. Section 115(a) of the Mine Act states that "each operator of a coal or other mine shall have a health and safety training program which shall be approved by the Secretary." Title 30 CFR 48.3 and 48.23 require training plans for underground and surface mines, respectively. The standards are intended to assure that miners will be effectively trained in matters affecting their health and safety, with the ultimate goal of reducing the occurrence of injury and illness in the nation's mines.

Training plans are required to be submitted for approval to the MSHA District Manager for the area in which the mine is located. Plans must contain the following: (1) Company name, (2) mine name, (3) MSHA identification number of the mine, (4) the name and position of the person designated by the operator who is responsible for health and safety training at the mine, (5) a list of MSHA-approved instructors with whom the operator proposes to make arrangements to teach the courses and the courses each instructor is qualified to teach, (6) the location where training will be given for each course, (7) a description of the teaching methods and the course materials which are to be used in training, (8) the approximate number of miners employed at the mine and the maximum number who will attend each session of training, (9) the predicted time or periods of time when regularly scheduled refresher training will be given including the titles of courses to be taught, (10) the total number of instruction hours for each course, and (11) the predicted time and length of each session of training for new task training including a complete list of task assignments, the titles of personnel conducting the training, the outline of training procedures used, and the evaluation procedures used to

determine the effectiveness of the training.

Title 30 CFR 48.9 and 48.29 require records of training for underground and surface mines, respectively. Upon completion of each training program, the mine operator certifies on a form approved by the Secretary (MSHA Form 5000-23) that the miner has received the specified training in each subject area of the approved health and safety training plan.

The certificates are to be maintained by the operator for a period of two years for current employees and sixty days for terminated employees and must be available for inspection at the mine site. In addition, the miner is entitled to a copy of the certificate upon completion of the training and when he/she leaves the operator's employment.

## II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection related to Training Plans and Records of Training, for Underground Miners and Miners Working at Surface Mines and Surface Areas of Underground Mines. 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](http://www.regulations.gov) and [www.reginfo.gov](http://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 Training Plans and Records of Training, for Underground Miners and Miners Working at Surface Mines and Surface Areas of Underground Mines. 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:* 1219-0009.

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

*Number of Respondents:* 2,399.

*Frequency:* On occasion.

*Number of Responses:* 143,263.

*Annual Burden Hours:* 17,741 hours.

*Annual Respondent or Recordkeeper Cost:* \$465,617.

*MSHA Forms:* MSHA Form 5000-23, Certificate of Training.

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. 2014-04248 Filed 2-26-14; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

[OMB Control No. 1219-0007]

### Proposed Information Collection; Mine Accident, Injury, and Illness Report and Quarterly Mine Employment and Coal Production Report (MSHA Forms 7000-1 and 7000-2)

**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 Mine Accident, Injury, and Illness Report and Quarterly Mine Employment and Coal Production Report (MSHA Forms 7000-1 and 7000-2), 30 CFR 50.10, 50.11, 50.20, 50.30.

**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-2013-0042].

- *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](mailto:MSHA.information.collections@dol.gov) (email); 202-693-9440 (voice); or 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(h), authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, Section 101(a) of the Mine Act, 30 U.S.C. 811 authorizes the Secretary to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines.

The reporting and recordkeeping provisions in 30 CFR part 50, Notification, Investigation, Reports and

Records of Accidents, Injuries and Illnesses, Employment and Coal Production in Mines, are essential elements in MSHA's Congressional mandate to reduce work-related injuries and illnesses among the nation's miners.

Section 50.10 requires mine operators and independent contractors to immediately notify MSHA in the event of an accident. This immediate notification is critical to MSHA's timely investigation and assessment of the cause of the accident.

Section 50.11 requires that the mine operator or independent contractor investigate each accident and occupational injury and prepare a report. The mine operator or independent contractor may not use MSHA Form 7000-1 as the investigation report, except if the operator or contractor employs fewer than 20 miners and the injury is not related to an accident.

Section 50.20 requires mine operators and independent contractors to report each accident, injury, and illness to MSHA on Form 7000-1 within 10 working days after an accident or injury has occurred or an occupational illness has been diagnosed. The use of MSHA Form 7000-1 provides for uniform information gathering across the mining industry.

Section 50.30 requires that all mine operators and independent contractors working on mine property report employment to MSHA quarterly on Form 7000-2, and that coal mine operators and independent contractors also report coal production.

Accident, injury, and illness data, when correlated with employment and production data, provide information that allows MSHA to improve its safety and health enforcement programs, focus its education and training efforts, and establish priorities for its technical assistance activities in mine safety and health. Maintaining a current database allows MSHA to identify and direct increased attention to those mines, industry segments, and geographical areas where hazardous trends are developing. This could not be done effectively using historical data. The information collected under Part 50 is the most comprehensive and reliable occupational data available concerning the mining industry.

Section 103(d) of the Federal Mine Safety and Health Act of 1977 (Mine Act) mandates that each accident be investigated by the operator to determine the cause and means of preventing a recurrence. Records of such accidents and investigations must be kept and made available to the Secretary or his authorized

representative and the appropriate State agency. Section 103(h) requires operators to keep any records and make any reports that are reasonably necessary for MSHA to perform its duties under the Mine Act. Section 103(j) requires operators to notify MSHA of the occurrence of an accident and to take appropriate measures to preserve any evidence that would assist in the investigation into the causes of the accident.

**II. Desired Focus of Comments**

MSHA is soliciting comments concerning the proposed information collection related to Mine Accident, Injury, and Illness Report and Quarterly Mine Employment and Coal Production Report (MSHA Forms 7000-1 and 7000-2), 30 CFR 50.10, 50.11, 50.20, 50.30. 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](http://www.regulations.gov) and [www.reginfo.gov](http://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 Mine Accident, Injury, and Illness Report and Quarterly Mine Employment and Coal Production Report (MSHA Forms 7000-1 and 7000-2) 30 CFR 50.10, 50.11, 50.20, 50.30. 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:* 1219-0007.

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

*Number of Respondents:* 29,910.

*Frequency:* On occasion.

*Number of Responses:* 132,179.

*Annual Burden Hours:* 180,535 hours.

*Annual Respondent or Recordkeeper*

*Cost:* \$5,706.

*MSHA Forms:* MSHA Form 7000-1, Mine Accident, Injury and Illness Report; MSHA Form 7000-2, Quarterly Mine Employment and Coal Mine Production Report.

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. 2014-04247 Filed 2-26-14; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Affirmative Decisions on Petitions for Modification Granted in Whole or in Part

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This **Federal Register** Notice notifies the public that MSHA has investigated and issued a final decision on certain mine operator petitions to modify a safety standard.

**ADDRESSES:** Copies of the final decisions are posted on MSHA's Web site at

<http://www.msha.gov/indexes/petition.htm> The public may inspect the petitions and final decisions during normal business hours in MSHA's Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209. All visitors must first stop at the receptionist desk on the 21st Floor to sign-in.

#### FOR FURTHER INFORMATION CONTACT:

Roslyn B. Fontaine, Office of Standards, Regulations and Variances at 202-693-9475 (Voice), [fontaine.roslyn@dol.gov](mailto:fontaine.roslyn@dol.gov) (Email), or 202-693-9441 (Telefax), or Barbara Barron at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (Email), or 202-693-9441 (Telefax). [These are not toll-free numbers].

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Under section 101 of the Federal Mine Safety and Health Act of 1977, a mine operator may petition and the Secretary of Labor (Secretary) may modify the application of a mandatory safety standard to that mine if the Secretary determines that: (1) An alternative method exists that will guarantee no less protection for the miners affected than that provided by the standard; or (2) that the application of the standard will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner's statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision.

##### II. Granted Petitions for Modification

On the basis of the findings of MSHA's investigation, and as designee of the Secretary, MSHA has granted or partially granted the following petitions for modification:

- *Docket Number:* M-2012-002-C.

*FR Notice:* 77 FR 14427 (3/9/2012).

*Petitioner:* Wolf Run Mining Company, 99 Edmiston Way, Buckhannon, West Virginia 26201.

*Mine:* Sentinel Mine, MSHA Mine I.D. No. 46-04168, located in Barbour County, West Virginia.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M-2012-031-C.

*FR Notice:* 77 FR 19723 (4/2/2012).

*Petitioner:* White Oak Resources, LLC, 121 S. Jackson Street, P.O. Box 339, McLeansboro, Illinois 62859.

*Mine:* White Oak Mine No. 1, MSHA I.D. No. 11-03203, located in Hamilton County, Illinois.

*Regulation Affected:* 30 CFR 75.1909(b)(6) (Nonpermissible diesel-powered equipment; design and performance requirements).

- *Docket Number:* M-2012-062-C.

*FR Notice:* 77 FR 27086 (5/8/2012).

*Petitioner:* Signal Peak Energy, LLC, 100 Portal Drive, Roundup, Montana 59072.

*Mine:* Bull Mountain Mine No. 1, MSHA I.D. No. 24-01950, located in Musselshell County, Montana.

*Regulation Affected:* 30 CFR 75.500(d) (Permissible electric equipment).

- *Docket Number:* M-2012-063-C.

*FR Notice:* 77 FR 27087 (5/8/2012).

*Petitioner:* Sebree Mining, LLC, 2668 State Route 120E, Providence, Kentucky 42450.

*Mine:* Sebree Mine #1, MSHA I.D. No. 15-19264, located in Webster County, Kentucky.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M-2012-072-C.

*FR Notice:* 77 FR 27094 (5/8/2012)

*Petitioner:* Consolidation Coal Company, 1000 CONSOL Energy Drive, Canonsburg, Pennsylvania 15317-6506.

*Mine:* Loveridge #22 Mine, MSHA I.D. No. 46-01433, located in Marion County, West Virginia.

*Regulation Affected:* 30 CFR 75.503 (Permissible electric face equipment; maintenance) and 30 CFR 18.35(a)(5)(i) (Portable trailing cables and cords).

- *Docket Number:* M-2012-081-C.

*FR Notice:* 77 FR 37927 (6/25/2012).

*Petitioner:* White Oaks Resources, LLC, 121 S. Jackson Street, McLeansboro, Illinois 62859.

*Mine:* White Oak Mine No. 1, MSHA Mine I.D. No. 11-03203, located in Hamilton County, Illinois.

*Regulation Affected:* 30 CFR 75.500(d) (Permissible electric equipment).

- *Docket Number:* M-2012-082-C.

*FR Notice:* 77 FR 37927 (6/25/2012).

*Petitioner:* White Oak Resources, LLC, 121 S. Jackson Street, McLeansboro, Illinois 62859.

*Mine:* White Oak Mine No. 1, MSHA I.D. No. 11-03203, located in Hamilton County, Illinois.

*Regulation Affected:* 30 CFR 75.1002(a) (Installation of electric equipment and conductors; permissibility).

- *Docket Number:* M-2013-002-C.

*FR Notice:* 78 FR 11231 (2/15/2013).

*Petitioner:* Wheels Coal Company, 59 Main Street, Tremont, Pennsylvania 17981.

*Mine:* No. 5 Vein Mine, MSHA I.D. No. 36-08679, located in Schuylkill County, Pennsylvania.

## SUPPORTING STATEMENT

### **Mine Accident, Injury, and Illness Report and Quarterly Mine Employment and Coal Production Report (MSHA Forms 7000-1 and 7000-2) 30 CFR 50.10, 50.11, 50.20, 50.30**

#### 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 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, Section 101 (a) of the Mine Act, 30 U.S.C. 811 authorizes the Secretary to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines.

The reporting and recordkeeping provisions in 30 CFR part 50, Notification, Investigation, Reports and Records of Accidents, Injuries and Illnesses, Employment and Coal Production in Mines, are essential elements in MSHA's Congressional mandate to reduce work-related injuries and illnesses among the nation's miners.

Section 50.10 requires mine operators and independent contractors to immediately notify MSHA in the event of an accident. This immediate notification is critical to MSHA's timely investigation and assessment of the cause of the accident.

Section 50.11 requires that the mine operator or independent contractor investigate each accident and occupational injury and prepare a report. The mine operator or

independent contractor may not use MSHA Form 7000-1 as the investigation report, except if the operator or contractor employs fewer than 20 miners and the injury is not related to an accident.

Section 50.20 requires mine operators and independent contractors to report each accident, injury, and illness to MSHA on Form 7000-1 within 10 working days after an accident or injury has occurred or an occupational illness has been diagnosed. The use of MSHA Form 7000-1 provides for uniform information gathering across the mining industry.

Section 50.30 requires that all mine operators and independent contractors working on mine property report employment to MSHA quarterly on Form 7000-2, and that coal mine operators and independent contractors also report coal production.

Accident, injury, and illness data, when correlated with employment and production data, provide information that allows MSHA to improve its safety and health enforcement programs, focus its education and training efforts, and establish priorities for its technical assistance activities in mine safety and health. Maintaining a current database allows MSHA to identify and direct increased attention to those mines, industry segments, and geographical areas where hazardous trends are developing. This could not be done effectively using historical data. The information collected under Part 50 is the most comprehensive and reliable occupational data available concerning the mining industry.

Section 103(d) of the Federal Mine Safety and Health Act of 1977 (Mine Act) mandates that each accident be investigated by the operator to determine the cause and means of preventing a recurrence. Records of such accidents and investigations must be kept and made available to the Secretary or his authorized representative and the appropriate State agency. Section 103(h) requires operators to keep any records and make any reports that are reasonably necessary for MSHA to perform its duties under the Mine Act. Section 103(j) requires operators to notify MSHA of the occurrence of an accident and to take appropriate measures to preserve any evidence that would assist in the investigation into the causes of the accident.

**2. Indicate how, by whom, how frequently, 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.**

Data collected through MSHA Forms 7000-1 and 7000-2 enable MSHA to publish timely quarterly and annual statistics, reflecting current safety and health conditions in the mining industry. The data gathered from this collection provides MSHA with the figures on which to base its incidence rate calculations and trend analyses. These data are used not only by MSHA, but also by other Federal and State agencies, health and safety researchers, and the mining community to assist in measuring and comparing the results of health and safety efforts both in the United States and internationally.

MSHA tabulates and analyzes the information from MSHA Form 7000-1, Mine Accident, Injury, and Illness Report, along with data from MSHA Form 7000-2, Quarterly Mine Employment and Coal Production Report, to compute incidence and severity rates for various injury types. MSHA uses the employment data and work time information to normalize injury and illness experience at the nation's mines so that MSHA can compare mines of different sizes and injury and illness experience for different time periods.

These data allow MSHA to detect accident, injury, and illness trends ascribable to specific mine sites, types of mining, work locations, or tasks. MSHA uses these accident, injury, and illness rates to assess the degree of success of the health and safety efforts of MSHA and the mining industry. MSHA also uses this information to target its inspection and assistance activities toward those mines, industry segments, and geographical areas that the current data show as having particular problems. Injury rates must be computed at least quarterly for MSHA to target its enforcement and assistance resources. Less frequent data collection would neither be timely nor statistically valid for this purpose.

The mining industry uses this quarterly injury incidence data in its efforts to reduce injuries and illnesses. MSHA's compilations are the only source of information that permits a particular mining operation to compare its record with that of similar mines.

Coal production data are used in various analyses that range from a comparative nature to complex modeling--such as the Cost of Injury Model developed through research. Additionally, this information impacts the evaluation and review of MSHA's regulations, the development of new safety and health standards, and the evaluation of MSHA's programs.

**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.**

MSHA permits mine operators and independent contractors to fax completed 7000-1 and 7000-2 forms in lieu of sending the forms by mail. These forms may also be submitted by mine operators and contractors via the Internet. In order to better serve the mining community, and to reduce the paperwork burden, MSHA provides for and encourages mine operators and independent contractors to submit MSHA 7000-1 and 7000-2 forms electronically. The breakdown of electronic submissions from the past 3 years is as follows:

Type of Submission	No. Submitted (% Submitted Electronically)			
	in 2011	in 2012	in 2013	Average for 2011-2013

<b>White MSHA Form 7000-1, Mine Accident, Injury and Illness Report (Parts A, B and C)</b>				
Total submitted	11,362	10,439	9,880	10,560
Submitted electronically	8,105 (71.3%)	7,931 (76.0%)	8,186 (82.8%)	8,074 (76.5%)
<b>Pink MSHA Form 7000-1, (Part D/ Return to work portion)</b>				
Total submitted	4,441	4,332	4,244	4,339
Submitted electronically	3,008 (67.7%)	3,210 (74.1%)	3,408 (80.3%)	3,209 (73.9%)
<b>Total MSHA Form 7000-1 (over past 2 years)</b>				
Total submitted	15,803	14,771	14,124	14,899
Submitted electronically	11,113 (70.3%)	11,141 (75.4%)	11,594 (82.1%)	11,283 (75.7%)
<b>MSHA Form 7000-2, Quarterly Mine Employment and Coal Mine Production Report</b>				
Total submitted	98,631	100,046	100,843	99,840
Submitted electronically	54,550 (55.3%)	73,372 (73.3%)	76,661 (76.0%)	68,194 (68.3%)
<b>All Forms 7000-1 White, 7000-1 Pink and 7000-2</b>				
Total All Forms	114,434	114,817	114,967	344,218
Total Submitted electronically	65,663 (57.4%)	84,513 (73.6%)	88,255 (76.8%)	238,431 (69.3%)

In calendar year 2013, about 82.8% of the 7000-1 forms were filed on-line. Overall, based on the total number of forms submitted over the past 3 years, 69.3% were submitted electronically. MSHA considered the wide range of resource availability among mine operators in preparing the burden estimates. The burden will be minimized to the extent that mine operators incorporate advances in information processing technology into all facets of their business. MSHA expects the percentage of forms filed on-line to continue to increase.

**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 Item 2 above.**

MSHA has Federal jurisdiction over safety and health at the nation's mines. The information collected pertains to specific accidents, injuries, and occupational illnesses. There is no similar information that could be used.

Although the Department of Health and Human Services may require reporting of some health and safety information from mines, it does so in concert with MSHA, and

its information requests have not duplicated information collected by MSHA under 30 CFR Part 50.

The Energy Information Administration (EIA) of the Department of Energy collects coal production data from mine operators. To address this current duplicate data collection, MSHA and the EIA have developed a Memorandum of Understanding under which MSHA provides the EIA with mine-specific coal production and employment data.

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

This collection of information does not have a significant impact on small businesses or other small entities. MSHA allows a mine operator or independent contractor who employs fewer than 20 miners to use MSHA Form 7000-1 as the investigation report under Section 50.11 for an occupational injury that is not related to an accident.

**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.**

Mine operators and independent contractors submit Form 7000-1 to MSHA within 10 working days after an accident or occupational injury occurs or an occupational illness has been diagnosed. Less frequent data collection would seriously jeopardize the Agency's ability to focus its resources effectively to carry out its mandate under the Mine Act.

Mine operators submit Form 7000-2 to MSHA quarterly to report employment, hours worked, and coal production levels. This provides MSHA with timely information for making decisions on improving its safety and health programs, focusing its education and training efforts, and establishing priorities for technical assistance activities in health and safety. Maintaining a current database allows MSHA to effectively direct resources to improve safety and health in the mining industry. Maintaining a current database provides the means for directing increased attention to those mines, industry segments, and geographical areas where hazardous trends are developing.

**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.**

Immediate notification of a mine accident is phoned into the Agency under the requirements of Section 50.10. The Agency has a 24 hour call center that responds to mine operators needing immediate assistance. Under Section 50.20 mine operators and independent contractors must submit Form 7000-1 to MSHA within 10 working days after an accident as defined under paragraph (h) of Section 50.2 occurs or when an occupational injury occurs or an occupational illness is diagnosed.

This information collection complies with 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 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 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 payment 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.**

MSHA 7000-1 accident forms contain privacy information in the form of first and last name, date of birth, and the last four digits of the SSN. Only a limited number of individuals within MSHA are granted access to this information, and they have been instructed to guard this information due to the privacy concerns. Public requests for copies of 7000-1 accident forms are fulfilled with the sensitive information redacted to protect accident victim privacy.

- 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'.**

**Estimated Burden for the Collection of Data for MSHA Form 7000-1**

Operators and independent contractors must notify MSHA immediately in the event of an accident. MSHA estimates that this notification is typically done by mine supervisory personnel by telephone and takes about 30 minutes (0.5 hour).

*Section 50.10 – Immediate Notification of MSHA:*

41 fatal accidents x 0.5 hours = 21 hours  
879 other accidents x 0.5 hours = 440 hours  
Responses = 919  
Hours Subtotal = 461 hours

The operator of a mine must investigate each accident and each occupational injury at the mine and develop a report of the investigation. The operator must keep a copy of the report and submit a copy to MSHA at the Agency's request. MSHA estimates that mine supervisory personnel conduct the investigation and that, on average, it takes about 80 hours to conduct an investigation of a fatal accident, about 16 hours for an accident with injuries, and about 1 hour for other occurrences.

The operator may not use MSHA Form 7000-1 as the investigation report, except that an operator of a mine at which fewer than 20 miners are employed may use MSHA Form 7000-1 as an investigation report with respect to that mine for an injury not related to an accident. MSHA estimates that, on average, it takes about 4 hours to prepare a separate investigation report for fatal accidents, and about 1 hour to prepare a separate investigation report for other occurrences.

*Section 50.11 – Investigation of Accidents and Occupational Injuries:*

41 fatal accidents x 80 hours = 3,280 hours  
8,142 nonfatal accidents x 16 hours = 130,272 hours  
814 other occurrences x 1 hour = 814 hours  
Responses = 8,997  
Hours Subtotal = 134,366 hours

*Section 50.11 – Preparation of Separate Investigation Reports:*

38 fatal accidents x 4 hours = 152 hours  
7,258 other occurrences x 1 hour = 7,258 hours  
Responses = 7,296  
Hours Subtotal = 7,410 hours

In 2013, 2,225 mine operators and 511 independent contracting companies submitted reports of accidents, injuries, and illnesses. Mine operators and contractors must submit separate 7000-1 forms for each occurrence and for each person affected. If return-to-duty information on an injured miner is not available within the 10-day reporting period, an additional copy of the form is submitted when this information is known. These 2,736 respondents working on mine property filed 9,880 MSHA Form 7000-1's, and 4,244 follow-up filings to add return-to-duty information.

MSHA estimates that, on average, it requires about 0.5 hours to complete the initial MSHA Form 7000-1 and an additional 20 minutes (0.33 hour) to complete the return-to-duty portion of the form for either electronic or manual submissions.

*Section 50.20 – Mine Accident, Injury, and Illness Reports:*

9,880 initial reports x 0.5 hours = 4,940 hours

4,244 follow-up reports x 0.33 hours = 1,401 hours  
Responses = 14,124  
Hours Subtotal = 6,431 hours

MSHA expects the work associated with this information collection to be done by supervisory personnel. In estimating the cost associated with the hour burden, MSHA used a 2012 hourly compensation rate of \$76.74 (composite wages and benefits for the coal and metal and nonmetal mining industries) for mine supervisors. The composite hourly wage rate is based on data obtained from *U.S. Coal Mines Salaries, Wages, and Benefits - 2012 Survey Results*, InfoMine USA, Inc., 2012 and *U.S. Metal and Industrial Mineral Mine Salaries, Wages, and Benefits - 2012 Survey Results*.

*Section 50.10 – Immediate Notification of MSHA:*

461 hours x \$76.74 per hour = \$35,377

*Section 50.11(b) – Investigations of Accidents and Injuries:*

134,366 hours x \$76.74 per hour = \$10,311,246

*Section 50.11(b) – Separate Reports of Investigations:*

7,410 hours x \$76.74 per hour = \$568,643

*Section 50.20 – Mine Accident, Injury, and Illness Reports:*

6,341 hours x \$76.74 per hour = \$486,608

**Total Respondents = .....2,736 respondents**  
**Total Responses for MSHA Form 7000-1 = ..... 31,336 responses**  
**Total Hour Burden Related to MSHA Form 7000-1 = ..... 148,666 hours**  
**Total Hour Burden Cost for MSHA Form 7000-1 = ..... \$11,408,626**

**Estimated Burden for Reporting Data for MSHA Form 7000-2**

In 2013, 13,509 mine operators reported employment information and 11,665 independent contracting companies reported employment information (9,398 respondents). MSHA received 100,843 responses on MSHA Form 7000-2. MSHA estimates that the average time required to complete the form would be 0.5 hours manually (paper) and 0.25 hours electronically. MSHA discontinued mailing 7000-2 forms to mine operators and contractors and began sending postcard reminders in the second quarter 2011. MSHA will encourage mine operators and independent contractors to file electronically, but will give them the option of requesting paper forms.

MSHA estimates that 20% (20,169) of the submitters will request paper forms rather than file electronically. MSHA estimates that, of these, half would be submitted to MSHA by fax and half would be mailed. An additional 5 minutes or 0.08 hours will be required to request a paper form. All mine operators and independent contractors maintain the information required on Form 7000-2 as a fundamental business

requirement. They routinely record the number of employees, the number of hours worked, and in the case of coal mines, the number of tons of coal mined.

*Section 50.30 – Prepare and Submit MSHA Form 7000-2:*

20,169 responses x 0.58 hours = 11,698 hours

80,674 e-responses x 0.25 hours = 20,169 hours

MSHA believes that the work of preparing and submitting MSHA Form 7000-2 will be performed by clerical personnel. In estimating the cost associated with the hour burden, MSHA used a 2012 hourly compensation rate (wages and benefits) of \$28.21 for mining industry clerical personnel. The composite compensation rate is based on data obtained from *U.S. Coal Mines Salaries, Wages, and Benefits - 2012 Survey Results, InfoMine USA, Inc., 2012* and *U.S. Metal and Industrial Mineral Mine Salaries, Wages, and Benefits - 2012 Survey Results*.

*Section 50.30 – Prepare and Submit MSHA Form 7000-2:*

11,698 hours x \$28.21 per hour = \$330,001

20,168 hours x \$28.21 per hour = \$568,939

**Total Respondents = .....25,174 respondents**

**Total Responses for MSHA Form 7000-2 = ..... 100,843 responses**

**Total Hour Burden for MSHA Form 7000-2 = ..... 31,866 hours**

**Total Hour Burden Cost for MSHA Form 7000-2 = ..... \$898,940**

<b>Table 1: Summary of Burden for Accident, Injury, and Illness Reports</b>			
<b>Required Report</b>	<b>Annual Responses</b>	<b>Burden Hours</b>	<b>Burden Hour Cost</b>
50.10 Immediate Notification	919	461.	\$35,377
50.11 Accidents & Occupational Injuries Investigation:	8,997	134,366	\$10,311,246
50.11 Separate Reports of Investigation (mines with >20 employees):	7,296	7,410	\$568,643
50.20 Mine Accident/Injury/Illness Report:	14,124	6,431	\$493,515
<b>MSHA Form 7000-1 Subtotal</b>	<b>31,336</b>	<b>148,668</b>	<b>\$11,408,678</b> <b>1</b>

<b>Table 2: Summary of Burden for Employment and Coal Production Reports</b>			
<b>Required Report MSHA</b>	<b>Annual Responses</b>	<b>Burden Hours</b>	<b>Burden Hour Cost</b>
50.30 Quarterly employment & coal production			
7000-2: Mailed or faxed	20,169	11,698	\$330,001
7000-2: Electronic submission	80,674	20,169	\$568,939
<b>MSHA Form 7000-2 Subtotal</b>	<b>100,843</b>	<b>31,867</b>	<b>\$898,940</b>

<b>Table 3: Summary of Total Respondent Burden</b>	
<b>Total Annual Respondents = (2,736+25,174) respondents</b>	<b>27,910</b>
<b>Total Annual Responses (31,336+100,843) = 132,179 responses</b>	
<b>Total Annual Hour Burden (148,668+31,867) =</b>	<b>180,535 hours</b>
<b>Total Annual Hour Burden Cost (\$11,408,667+\$898,940) =</b>	<b>\$12,307,607</b>

13. Provide an estimate of 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.

#### **Cost Burden to Respondents for MSHA Forms 7000-1 and 7000-2**

Of the 9,880 white initial injury *MSHA Form* 7000-1's submitted in 2013 calendar year, 8,186 or 82.8% were submitted electronically. Of the 4,244 pink *MSHA Form* 7000-1's return to work forms submitted in calendar year 2032, 3,408 or 80.3% were submitted electronically. With respect to the 17% of 7000-1 forms that were not submitted electronically in 2013, MSHA estimates that 10% of those forms were submitted by mail. The remaining 7% were submitted by fax.

Of the 100,843 MSHA Form 7000-2s submitted in 2013 calendar year, 76,661 or 76% were submitted electronically. With respect to the approximately 24% of 7000-2 forms that were not submitted electronically in 2013, MSHA estimates that 10% of those forms were submitted by mail. The remaining approximate 14% were submitted by fax.

*Postage for submission of 7000-1 Forms (OIEI Copy):*

9,880 initial reports x 10% mailed x \$0.46 = \$455

3,408 follow-up reports x 10% mailed x \$0.46 = \$157

*Postage for submission of 7000-1 Forms (District Copy):*

9,880 initial reports x 10% mailed x \$0.46 = \$455

*Postage for submission of MSHA Form 7000-2:*

100,843 responses x 10% mailed x \$0.46 = \$4,639

*Total Cost Burden for MSHA Form 7000-1 = \$1067*

*Total Cost Burden for MSHA Form 7000-2 = \$4,639*

**TOTAL COST BURDEN FOR MSHA FORMS 7000-1 AND 7000-2 = \$5,706**

- 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.**

The Office of Injury and Employment Information's (OIEI) function is to collect, correct, and process mine industry survey data and receive and process operator reporting forms (both MSHA Form 7000-1 and MSHA Form 7000-2). The costs to the Federal government for the MSHA Form 7000-1 and the MSHA Form 7000-2 forms are shown as overall cost for both forms.

MSHA data indicates that 13,509 mines and 11,655 independent operators reported operating in 2013. Although respondents submitted 9,880 initial injury reports and 4,244 return to duty reports, MSHA processed only 8,956 initial injury forms and 2,942 return to duty forms. The difference represents forms that were submitted in error or that cannot be processed because the analysis for the relevant year's data is closed.

*Costs Associated with the Operation of the Branch: \$589,874*

*Costs Associated with the Use of the Sungard Computer System: \$216,000*

*Printing Envelopes and Handling Costs for Forms and Postcard Reminders: \$3,644*

*Postage Costs for 7000-2 Forms and Postcards Reminders:*

122,409 postcard reminders x \$0.33 = \$40,395  
7,766 paper forms sent to respondents x \$0.46 = \$3,572  
Total Postage Costs = \$43,967

*Total Cost to the Federal Government (MSHA Form 7000-1 and MSHA Form 7000-2)*  
= **\$853,485** (\$589,874 + \$216,000 + \$3,644 + \$43,967)

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

MSHA has made no program changes. There was a small change in the estimated number of respondents, increasing from 27,193 to 27,910. The number of responses and hours have decreased:

- Responses have decreased from **144,450** to **132,179**.
- Hours have decreased from **210,976** to **180,535 hours**.
- Cost burden to respondents or record keepers has decreased from **\$5,832** to **\$5,706**.

All burden changes result from revised agency estimates as more respondents take advantage of electronic options.

**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.**

MSHA publishes its data tabulations and statistical analyses in quarterly news releases and other reports, in five Informational Reports, and in an Annual Report to Congress.

**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.**

MSHA will display the expiration date on any instruments.

**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.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This information collection does not employ statistical methods.