

investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on May 13, 2014, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on May 22, 2014, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before May 12, 2014. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on May 20, 2014, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is May 12, 2014. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is May 30, 2014. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to

the subject of the investigations, including statements of support or opposition to the petition, on or before May 30, 2014. On June 18, 2014, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before June 20, 2014, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on E-Filing*, available on the Commission's Web site at <http://edis.usitc.gov>, elaborates upon the Commission's rules with respect to electronic filing.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: February 24, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014-04303 Filed 2-26-14; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219-0034]

Proposed Information Collection; Records of Tests and Examinations of Mine Personnel Hoisting Equipment

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 Records of Tests and Examinations of Mine Personnel Hoisting Equipment.

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-2013-0044].

- **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 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.

Under Title 30 of the Code of Federal Regulations (CFR), MSHA has requirements that address hoists and appurtenances, including wire rope, used for hoisting persons. The requirements address both metal and nonmetal surface and underground

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.

SUPPORTING STATEMENT

Records of Tests and of Examinations of Personnel Hoisting Equipment 30 CFR
56.19022, 56.19023, 56.19121, 57.19022, 57.19023, 57.19121, 75.1400-2, 75.1400-4,
75.1432, 75.1433, 77.1404, 77.1432, 77.1433, 77.1906

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, authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners.

Under Title 30 of the Code of Federal Regulations (CFR), MSHA has requirements that address hoists and appurtenances, including wire rope, used for hoisting persons. The requirements address both metal and nonmetal surface and underground 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.

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 information is used by industry management and maintenance personnel to project the expected safe service performance of equipment; to indicate when maintenance and specific tests need to be performed; and to ensure that wire rope or other critical components are replaced in time to maintain the necessary safety for miners.

Federal mine inspectors use the records to ensure that unsafe conditions are identified early and corrected. The consequence of hoist or shaft equipment malfunctions or wire rope failures can result in serious injuries and fatalities. It is essential that Mine Safety and Health Administration (MSHA) inspectors be able to verify that mine operators are properly inspecting for unsafe conditions and maintaining their hoist and shaft equipment.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic

submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

No improved information technology has been identified that would reduce the burden; however, mine operators may retain the records in whatever method they choose, which may include using computer technology.

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

Not all states have recordkeeping requirements for hoisting or shaft equipment and in some instances, states have adopted the Federal requirement. For states that require the same records as the Federal regulations, one record could be used to fulfill both state and Federal requirements, avoiding duplication.

The records are made and kept on the results of specific examinations and tests of hoisting or shaft equipment required by specific Federal requirements. There are no similar records that could be used or modified for use instead of the required records. Where possible, MSHA has replaced existing recordkeeping with certification requirements. However, the Agency still requires a record to be kept of either inspections or unsafe conditions found during testing, inspection, or maintenance activities to help ensure the safety of miners using the hoisting or shaft system.

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 recordkeeping requirements for hoisting equipment are specified in the sections cited in Title 30 of the Code of Federal Regulations (30 CFR). MSHA has determined that the recordkeeping requirements for hoisting equipment are the minimum necessary to ensure safety. Further reduction of these requirements could allow unsafe equipment to remain in operation, jeopardizing the safety of miners.

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.

Although regulations require that tests and examinations be conducted and records of such tests made more frequently than quarterly, the respondent is not required to submit the results to MSHA; rather a record of the results is to be maintained on site to be reviewed during routine inspections.

8. If applicable, provide a copy and identify the data 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 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 the Federal Government'.**

Respondents: MSHA bases the following estimates on 250 mining operations with personnel hoisting equipment (66 for Metal and Nonmetal and 184 for Coal) in the mining industry. Many of the mines have multiple hoists. Hourly wage rates in this package are for a supervisor (\$69.60 for a MNM supervisor and \$89.15 for a coal supervisor) and a clerical employee (\$28.00 for a MNM clerical employee and \$28.57 for a Coal clerical employee). Coal hourly wage rates are based on data from *U.S. Coal Mine Salaries, Wages and Benefits –2012 Survey Results*. MNM hourly wage rates are based on data from *U.S. Metal and Industrial Mineral Mine Salaries, Wages and Benefits –2012 Survey Results*.

(I) Daily and Biweekly Examinations at METAL AND NONMETAL MINES

Title 30 CFR 56.19023(a), 56.19023(d), 56.19121, 57.19023(a), 57.19023(d), and 57.19121 require recordkeeping when the required examinations, inspections, and tests are conducted or when unsafe conditions are found during routine examinations, inspections, and tests of personnel hoisting or shaft equipment. MSHA estimates that it will take an average 5 minutes (0.08 hours) to record the daily examination. It is estimated that it will take 5 minutes (.08 hours) to record the results of the bi-weekly examinations. Salaries are based on data from the *U.S. Metal and Industrial Mineral Mine Salaries, Wages and Benefits –2012 Survey Results*.

Responses:

66 Mines x 260 daily exams	= 17,160 responses
66 Mines x 26 biweekly exams	= <u>1,716 responses</u>
Total Responses	= 18,876 responses

Recordkeeping Hours:

17,160 daily exams x 0.08 hrs	= 1,373 hours
1,716 biweekly exams x 0.08 hrs	= <u>137 hours</u>
Total Hours	= 1,510 hours

Costs:

Recordkeeping: (Clerk) 1,510 hours x \$28.00	= \$42,280
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(II) Initial and Semiannual Wire Rope Measurements or Non-Destructive Testing or Measurements of Wire Ropes at Metal and Nonmetal Mines

Title 30 CFR 56.19022, 56.19023(c), 56.19023(e), 57.19022, 57.19023(c), and 57.19023(e) (Initial measurement; Examinations) concern measurements of wire rope for wear so the rope can be removed from service in a timely manner before the safety of miners is affected. The wire rope at each hoist is replaced on an average of once every five years. Approximately 40 percent of the 66 MNM operations (or 26 MNM operations) will need to replace the wire rope at each hoist. Each of the 26 new wire ropes installed per year require initial diameter measurements. Tests and measurements to evaluate each wire rope's wear are made twice a year at all 66 hoisting operations. The notations of measurements or test results take about 9 minutes (0.15 hour) per response.

Responses:

26 Mines x 1 exam	= 26 responses
66 Mines x 2 exams	= <u>132 responses</u>
Total Responses	= 158 responses

Hours:

Initial recordkeeping hours:	
26 new wire ropes x 0.15 hrs to record	= 4 hours

Semi-annual recordkeeping hours:	
66 Mines x 2 exams/year x 0.15 hours	= <u>20 hours</u>
Total Hours	= 24 hours

Costs:

Initial recordkeeping: 4 hours x \$69.60	= \$278
Recordkeeping: 20 hrs x \$28.00	= <u>\$560</u>

Total Costs	= \$838
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Total Responses (Metal and Nonmetal):	= 19,034
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Total Burden Hours (Metal and Nonmetal):	= 1,534
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Total Costs (Metal and Nonmetal)	= \$43,118
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(I) Daily and Biweekly Examinations at Coal Mines

Title 30 CFR 75.1400-4 (Underground coal; certifications and records of daily examinations), 75.1433(d) (Underground coal mines; bi-weekly visual examination), 77.1404 (Surface coal mines; daily examination and record), and 77.1433(d) (Surface coal mines; bi-weekly visual examination) concern recordkeeping of the completion of required examinations and tests of personnel hoisting equipment and the recording of unsafe conditions (when found) during routine examinations. MSHA estimates that it will take a total of 5 minutes (0.08 hours) to record the daily examination. MSHA also estimates that it will take an average 5 minutes (.08 hours) to record the results of the biweekly visual examinations. These estimates also include the examination of hoists used for shaft sinking as referenced by 30 CFR 77.1906(c).

Responses:

184 operations x 260 daily exams	= 47,840 responses
184 operations x 26 bi-weekly exams	= <u>4,784 responses</u>
Total Responses	= 52,624 responses

Recordkeeping Hours:

52,624 Exams x 0.08 hrs	= 4,210 hours
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Costs

Recordkeeping (Clerk): 4,210 hours x \$28.57	= \$120,280
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(II) Initial and Semiannual Wire Rope Measurement or Non-Destructive Testing for Personnel Hoist Ropes at Surface and Underground Coal Mines

Title 30 CFR 75.1432 (Underground coal mines; initial wire rope measurements and records), 75.1433(c) (Underground coal mines twice annual non-destructive testing and record or caliper measurements), 77.1432 (Surface mine initial wire rope measurements and record) and 77.1433(c) (Surface coal mines; biannual non-destructive testing and record or caliper measurements) require mine operators to measure the diameter of recently installed wire ropes used in personnel hoisting at prescribed intervals and semi-annually to either conduct non-destructive tests or re-measure the wire ropes at the same locations using a caliper device to monitor rope wear toward determining when the rope must be retired/replaced.

MSHA estimated that the initial measurement of each new wire rope requires approximately 0.08 hours to record.

MSHA also estimates that each non-destructive test of a wire rope or caliper measurement of a rope will take approximately 0.08 hour to record. MSHA records show that on the average each respondent will have 3 ropes that are required to have initial measurements and non-destructive testing or caliper measurements, however, approximately 33.3% of the ropes in-service are replaced each year.

Title 30 CFR 75/77.1433 allows the mine operator the option of using caliper measurement at the same locations as the initial measurement in lieu of non-destructive tests. MSHA estimates 60% of all ropes are caliper-measured for compliance and the remaining 40% are non-destructively tested by contractors for the mine operator. An estimate of employing contractors is provided in Item 13.

Responses:

184 Mines x 3 ropes x 33.33%	= 184 responses
184 Mines x 3 ropes x 60% x 2 measurements	= <u>662 responses</u>
Total Responses	= 846 responses

Initial recordkeeping hours:

184 records x 0.08 hrs	= 15 hours
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Semi-annual Recordkeeping hours:

662 records x 0.08 hrs	= <u>53 hours</u>
Total Hours	= 68 hours

Costs:

15 hours x \$89.15	\$ 1,337
53 hours x \$ 28.57	= <u>\$ 1,514</u>

Total Costs	= \$ 2,851
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(III) Tests of Safety Catches at Underground Coal Mines

Title 30 CFR 75.1400(c) and 75.1400-2 (Underground coal mines; bi-monthly test and record for safety catch devices) require that the safety catches on vertically hoisted personnel cages and the brake-cars on slope hoisted man-trips be tested every two months. MSHA estimates that it takes 5 minutes (0.08 hours) to record the results of the test.

Responses

184 operations x 6 tests x 2 records = 2,208 responses

Hours for Housekeeping

2,208 records x 0.08 hrs = 177 hours

Costs:

177 hours x \$28.57 = \$5,057

Total Coal Responses = 55,678

Total Coal Hours = 4,455

Total Coal Costs = \$128,188

Total Metal and Nonmetal and Coal Burden Hours and Costs:

GRAND TOTAL RESPONSES:

Metal and Nonmetal = 19,034

Coal = 55,678

Total Responses = 74,715

GRAND TOTAL BURDEN HOURS:

Metal and Nonmetal = 1,534 Hours

Coal = 4,455 Hours

Total Hours = 5,989 Hours

GRAND TOTAL BURDEN HOUR COSTS:

Metal and Nonmetal = \$ 43,118

Coal = \$ 128,187

Total Cost = \$ 171,306

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.**

Tests and examination of personnel hoisting equipment are required to be conducted more frequently than quarterly as mandated for the safety of the miners. Because the records are maintained by the mine operator, and not submitted to MSHA, there are no additional costs associated with this burden other than those described above. Where the operator elects to use non-destructive wire rope testing for compliance with MSHA standards, additional costs are incurred.

MSHA estimates that 40% of the wire ropes in service at Metal and Nonmetal and Coal Mine operations use non-destructive testing for wire ropes provided by contractors. The estimated average cost to the operator is \$500 per wire rope. The interpretation of the electronically generated strip chart(s), and the charts and recommendations on continued service are the records that are sent to the mine operator.

40% x 250 operations x 3 wire ropes non-destructive tests x 2 per year x \$500 per test = **\$300,000.**

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.

Records are examined by Federal mine inspectors in the course of routine mine inspections. Therefore, the requirements result in no additional costs to the Federal government.

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

The burden hours have decreased by 866 hours from (6,855 to 5,989). The decrease is attributed to a decrease in the number of mining operations with personnel hoisting equipment. There was a decrease in responses (from 85,550 to 74,715) and in annualized costs (from \$343,200 to \$300,000) as well due to the decrease in the number of mining operations with personnel hoisting equipment.

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 information collection.

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 information collection; therefore, MSHA is not seeking approval to not display the expiration date for OMB approval of this information collection.

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. COLLECTION OF INFORMATION EMPLOYMENT STATISTICAL METHODS

As statistical analysis is not required by the regulation, Part B does not apply.