



DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219-0152]

Proposed Extension of Information Collection; Periodic Medical Surveillance

Examinations for Coal Miners

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. This program helps to ensure 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 Periodic Medical Surveillance Examinations for Coal Miners.

DATES: All comments must be received MSHA's Office of Standards, Regulations, and Variances on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below. Please note that late, untimely filed comments will not be considered.

- Federal *eRulemaking* Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments for docket number MSHA-2022-0057.

- Mail/Hand Delivery: DOL-MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor’s COVID-19 policy. Special health precautions may be required.

MSHA will post all comments as well as any attachments, except for information submitted and marked as confidential, in the docket at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances, MSHA, at MSHA.information.collections@dol.gov (email); (202) 693–9440 (voice); or (202) 693–9441 (facsimile). These are not toll-free numbers.

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 of Labor 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 and metal and nonmetal mines.

The Mine Act authorizes the National Institute for Occupational Safety and Health (NIOSH) to study the causes and consequences of coal-related respiratory disease, and in cooperation with MSHA, to carry out a program for early detection and prevention of pneumoconiosis. NIOSH administers the National Coal Workers’ Health Surveillance Program, “Specifications for Medical Examinations of Underground Coal Miners,” as specified in 42 CFR part 37 (Chest Radiographic Examinations). 30 CFR 72.100

(Periodic examinations) contains collection requirements for these activities in paragraphs (d) and (e).

30 CFR 72.100(d) requires that each mine operator must develop and submit a plan for NIOSH approval in accordance with 42 CFR 37 for providing miners with the required periodic examinations specified in 30 CFR 72.100(a) and a roster specifying the name and current address of each miner covered by the plan.

30 CFR 72.100(e) requires that each mine operator must post on the mine bulletin board at all times the approved plan for providing the examinations specified in 72.100(a).

30 CFR 72.100(d) and (e) are requirements that mirror NIOSH information collection requirements under 42 CFR 37.4 (Chest radiographic examinations conducted by the Secretary) (existing OMB No. 0920-0020)). Including these requirements allows MSHA to use its inspection and enforcement authority to ensure that operators comply with these provisions.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection. 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.

The information collection request will be available on

<https://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 DOL-MSHA, 201 12th South, Suite 4E401, Arlington, VA 22202-5452. Sign in at the receptionist's desk on the 4th floor via the East elevator. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

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 information collection request concerns provisions for Periodic Medical Surveillance Examinations for Coal Miners. MSHA has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request from the previous information collection request.

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

Agency: Mine Safety and Health Administration

OMB Number: 1219-0152

Affected Public: Business or other for-profit

Number of Respondents: 664

Frequency: On occasion

Number of Responses: 797

Annual Burden Hours: 310 hours

Annual Respondent or Recordkeeper Cost: \$239

The decrease in the number of respondents, response, burden hours and respondent or recordkeeper cost is due to the decrease in respondents.

Comments submitted in response to this notice will be summarized in the request for Office of Management and Budget approval of the proposed information collection request; they will become a matter of public record and will be available at <https://www.reginfo.gov>.

Song-ae Aromie Noe,
Certifying Officer,
Mine Safety and Health Administration.

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