



DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219-0124]

Proposed Extension of Information Collection: Health Standards for Diesel Particulate Matter Exposure (Underground Coal Mines)

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program for all information collections, to provide the 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. The Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection titled “Health Standards for Diesel Particulate Matter Exposure (Underground Coal Mines).”

DATES: All comments must be received 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 comments received after the deadline will not be considered.

- Federal E-Rulemaking Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments for docket number MSHA-2026-0034.

- Mail/Hand Delivery: DOL-MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202-693-9440 to make an appointment.
- 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: Jessica D. Senk, 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). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

A. Legal Authority

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (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(a), authorizes the Secretary of Labor (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 and metal and nonmetal (MNM) mines.

The Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. 3501 et seq.) governs paperwork burdens imposed on the public by Federal agencies for using identical questions to collect information from 10 or more persons. The PRA defines paperwork burden in 44 U.S.C. 3502(2) as time, effort, or financial resources expended to generate, maintain, or provide information to or for a Federal agency. Under 44 U.S.C. 3507, the PRA also establishes policies and procedures of information collection for controlling paperwork burdens imposed by Federal agencies on the public, including evaluating public comments.

B. Information Collection

To fulfill its statutory mandate to promote miners' health and safety, MSHA requires information under the information collection request (ICR) titled "Health Standards for Diesel Particulate Matter Exposure (Underground Coal Mines)." The information collection is intended to ensure that mine operators are in compliance with the health standard regarding diesel particulate matter in underground coal mines and provide useful information to mine operators and miners' representatives about the safety and health conditions in a miner's workplace.

Burden costs associated with this ICR include:

1. Miner Training Records

1-1. Scheduling trainings

1-2. Creating training records

1-3. Providing copies of training records

2. Diesel Equipment Inventories

2-1. Submitting diesel equipment inventories

2-2. Providing copies of inventories

The associated standards that authorize the collection of information are described below.

1. Miner Training Records

1-1. Scheduling Trainings

Under 30 CFR 72.510(a), [underground coal mine] operators must provide annual training to all miners at a mine who can reasonably be expected to be exposed to diesel emissions on that property. The training must include—

- (1) The health risks associated with exposure to diesel particulate matter;
- (2) The methods used in the mine to control diesel particulate matter concentrations;
- (3) Identification of the personnel responsible for maintaining those controls; and
- (4) Actions miners must take to ensure the controls operate as intended.

1-2. Creating Training Records

Under 30 CFR 72.510(b)(1), operators must keep a record of the training for one year after completion of the training. An operator may keep the record elsewhere if the record is immediately accessible from the mine site by electronic transmission.

1-3. Providing Copies of Training Records

Under 30 CFR 72.510(b)(2), upon request from an authorized representative of the Secretary of Labor, the Secretary of Health and Human Services, or from the authorized representative of miners, mine operators must promptly provide access to any such training record. Whenever an operator ceases to do business, that operator must transfer the training records, or a copy, to any successor operator who must maintain them for the required period.

2. Diesel Equipment Inventories

2-1. Submitting Diesel Equipment Inventories

Under 30 CFR 72.520(a), the operator of each mine that utilizes diesel equipment underground, shall prepare and submit in writing to the District Manager an inventory of diesel equipment used in the mine. The inventory shall include the number and type of diesel-powered units used underground, including make and model of unit, type of equipment, make and model of engine, serial number of engine, brake horsepower rating of engine, emissions of engine in grams per hour or grams per brake horsepower-hour, approval number of engine, make and model of aftertreatment device, serial number of aftertreatment device if available, and efficiency of aftertreatment device.

2-2. Providing Copies of Inventories

Under 30 CFR 72.520(b), the mine operator shall make changes to the diesel equipment inventory as equipment or emission control systems are added, deleted or modified and submit revisions to the District Manager, within 7 calendar days. Mine operators shall submit revisions to the District Manager within 7 calendar days of any change to the diesel equipment inventory.

Under 30 CFR 72.520(c), if requested, the mine operators shall provide a copy of the diesel equipment inventory to the representative of the miners within 3 days of the request.

Mine operators' burden and costs associated with recordkeeping and reporting requirements of the use and maintenance of diesel equipment included in a separate information collection request under OMB Control Number 1219-0119 titled "Diesel-Powered Equipment in Underground Coal Mines."

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection titled "Health Standards for Diesel Particulate Matter Exposure (Underground Coal 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.

The ICR is available on <https://www.regulations.gov>. MSHA cautions commenters against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on <https://www.regulations.gov> and <https://www.reginfo.gov>.

The public may also examine publicly available documents at DOL-MSHA, Office of Standards, Regulations and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202-693-9440 to make an appointment.

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 ICR concerns provisions for Health Standards for Diesel Particulate Matter Exposure (Underground Coal Mines). MSHA has updated the data with respect to the number of respondents, responses, time burden, and burden costs supporting this ICR from the previous ICR.

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

Agency: Mine Safety and Health Administration

OMB Number: 1219-0124

Affected Public: Business or other for-profit entity

Number of Annual Respondents: 146

Frequency: On occasion

Number of Annual Responses: 27,954

Annual Time Burden: 703 hours

Annual Recordkeeping Costs: \$24

MSHA Form: Diesel Inventory (This is an optional web collection instrument.)

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

Jessica D. Senk,

Certifying Officer,

Mine Safety and Health Administration.

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