



DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219-0042]

Proposed Extension of Information Collection: Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of 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 “Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of 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-2026-0265.

- 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 "Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of Mines." This information collection is intended to ensure the identification of the representative of miners are shared with both operators and miners; identification of the persons charged with violating mandatory safety and health standards and in the assessment of civil penalties for those violations; assigning a unique mine identification number; and proper notification of commencement of operations and closure of MNM mines.

Burden costs associated with this ICR include:

1. Representative of Miners Designation Forms, MSHA Form 2000-238 (30 CFR 40.2 through 40.5)
2. Legal Identity Reports, MSHA Form 2000-7 (30 CFR 41.10 through 41.20)
3. Mine Operator Identification Requests, MSHA Form 7000-51 (30 CFR 41.10 through 41.20)
4. Notifications of commencing and closing of MNM mines (30 CFR 56.1000 and 57.1000)

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

1. Representative of Miners Designation Forms, MSHA Form 2000-238 (30 CFR 40.2 through 40.5)

Section 103(f) and (g) of the Mine Act, 30 U.S.C. 813(f) and (g), establishes miners' rights that may be exercised through a representative. 30 CFR 40 defines what is meant by "representative of miners", a term that is not defined in the Mine Act, and describes the filing procedures to identify a person or organization as a representative of miners by the Secretary.

Under 30 CFR 40.2, a representative of miners shall file with the MSHA District Manager for the district in which the mine is located the information required by 30 CFR 40.3.

(MSHA collects the information using MSHA Form 2000-238, Representative of Miners Designation Form). Concurrently, a copy of this information shall be provided to the operator of the mine by the representative of miners. Miners or their representative organization may appoint or designate different persons to represent them under various sections of the [Mine] act relating to representatives of miners. All information filed pursuant to this part shall be maintained by the appropriate MSHA District Office and shall be made available for public inspection.

Under 30 CFR 40.3(a), the information must be filed by the representative of miners with the appropriate MSHA District Manager, with copies to the operators of the affected mines. This information shall be filed and kept current in accordance with 30 CFR 40.3(a)(1) through 40.3(a)(7).

Under 30 CFR 40.3(b), The representative of miners shall be responsible for ensuring that the appropriate District Manager and operator have received all of the information required by this part and informing such District Manager and operator of any subsequent changes in the information.

Under 30 CFR 40.4, a copy of the information provided to the operator pursuant to 30 CFR 40.3 shall be posted upon receipt by the operator on the mine bulletin board and maintained in a current status.

Under 30 CFR 40.5(a), a representative of miners who becomes unable to comply with the requirements of part 40 shall file a statement with the appropriate MSHA District Manager terminating his or her designation.

Under 30 CFR 40.5(b), MSHA shall terminate and remove from its files all designations of representatives of miners which have been terminated pursuant to 30 CFR 40.5(a) or which are not in compliance with the requirements of this part. MSHA shall notify the mine operator of such termination.

2. Legal Identity Reports, MSHA Form (30 CFR 41.1 through 41.20)

Section 109(d) of the Mine Act, 30 U.S.C. 819(d), requires each operator of a coal or other mine to file with the Secretary, the name and address of such mine, the name and address of the person who controls or operates the mine, and any revisions in such names and addresses.

Section 103(h) of the Mine Act, 30 U.S.C. 813(h), requires the operator of a coal or other mine to establish and maintain records, make reports, and provide information, as the Secretary may reasonably require from time to time to enable him to perform his functions under the [Mine] act. The regulations in 30 CFR 41 Subpart B provide for the notification to MSHA of the legal identity of the operator of a coal or other mine and the reporting of all changes in the legal identity of the operator as they occur. The submission of a properly completed Legal Identity Report Form No. 2000-7 required under 30 CFR 41 Subpart C will constitute adequate notification of legal identity to MSHA.

Under 30 CFR 41.11(a), not later than 30 days after (1) the effective date of this part, and (2) the opening of a new mine thereafter, the operator of a coal or other mine shall, in writing, notify the appropriate district manager of MSHA in the district in which the mine is located of the legal identity of the operator in accordance with the applicable provisions of paragraph (b), (c), (d), or (e) of this section 41.11.

Under 30 CFR 41.12, within 30 days after the occurrence of any change in the information required by section 41.11, the operator of a coal or other mine shall, in writing, notify the appropriate district manager of MSHA in the district in which the mine is located of such change.

Under 30 CFR 41.13, failure of the operator to notify MSHA, in writing, of the legal identity of the operator or any changes thereof within the time required under this part will be considered to be a violation of section 109(d) of the [Mine] Act and shall be subject to penalties as provided in section 110 of the [Mine] Act.

Under 30 CFR 41.20, each operator of a coal or other mine shall file notification of legal identity and every change thereof with the appropriate district manager of MSHA by properly

completing, mailing, or otherwise delivering form 2000-7 “legal identity report” which shall be provided by MSHA for this purpose. If additional space is required, the operator may use a separate sheet or sheets.

3. Mine Operator Identification Requests, MSHA Form 7000-51 (30 CFR 41.1 through 41.20)

Additionally, MSHA Form 7000-51, Mine Operator Identification Request is used to allow mine operators to request an MSHA mine identification number for each mine. Mine operators request mine identification numbers prior to completing and submitting the required Legal Identity Report MSHA Form 2000-7. MSHA requires Form 7000-51 to be submitted electronically, facilitating this legal identity reporting process.

4. Notification of Commencing and Closing MNM Mines (30 CFR 56.1000 and 57.1000)

Under 30 CFR 56.1000 (Surface) and 57.1000 (Underground), the owner, operator, or person in charge of any MNM mine shall notify the nearest MSHA district office before starting operations, of the approximate or actual date mine operation will commence. The notification shall include the mine name, location, the company name, mailing address, person in charge, and whether operations will be continuous or intermittent. When any mine is closed, the person in charge shall notify the nearest district office as provided above and indicate whether the closure is temporary or permanent.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection titled “Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of 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 Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of 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 Control Number: 1219-0042

Affected Public: Business or other for-profit entity

Number of Annual Respondents: 9,522

Frequency: On occasion

Number of Annual Responses: 9,522

Annual Time Burden: 1,717 hours

Annual Recordkeeping Costs: \$790

MSHA Forms: MSHA Form 2000-238, Representative of Miners Designation Form

MSHA Form 2000-7, Legal Identity Report

MSHA Form 7000-51, Mine Operator Identification Request

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.

[FR Doc. 2026-10859 Filed: 5/29/2026 8:45 am; Publication Date: 6/1/2026]