



DEPARTMENT OF LABOR

Mine Safety and Health Administration

Proposed Extension of Information Collection: Hazard Communication (HazCom) – 30 CFR

Part 47

[OMB Control No. 1219-0133]

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 “Hazard Communication (HazCom) – 30 CFR Part 47.”

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-2026-0826.

- Mail/Hand Delivery: DOL-MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, 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: Corliss A. Josephs-Conway, 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 "Hazard Communication (HazCom) – 30 CFR Part 47." This information collection is intended to ensure that operators evaluate the hazards of chemicals they produce or use and provide this information to miners, their representatives, and customers through HazCom programs. A typical HazCom program includes a list of all hazardous chemicals known at the mine, requirements for labeling containers of hazardous chemicals, availability of Material Safety Data Sheets (MSDS), and requirements for miner training.

Burden costs associated with the ICR include:

1. Developing and Updating HazCom Programs
 - 1-1. Developing New HazCom Programs
 - 1-2. Updating Existing HazCom Programs
 - 1-3. Creating Records of HazCom Training
2. Labeling Containers
3. Developing and Maintaining MSDSs
 - 3-1. Developing New MSDSs for Hazardous Chemicals Produced at Mines
 - 3-2. Updating Existing MSDSs for Hazardous Chemicals Brought to Mines
 - 3-3. Providing Hazardous Waste Information to Miners
 - 3-4. Providing MSDSs Copies to Miners
 - 3-5. Maintaining MSDSs
 - 3-6. Notifying Miners about Removing MSDSs
4. Making HazCom Information Available
5. Providing Copies of Label Information and MSDS to Customers
6. Making Trade Secret Claims
7. Denying Requests to Disclose Trade Secrets

8. Referring Denied Requests to Disclose Trade Secrets to MSHA for Review

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

Under 30 CFR 47.1, each operator must identify the chemicals at the mine, determine which chemicals are hazardous, establish a HazCom program, and inform each miner who can be exposed and other on-site operators whose miners can be exposed, about chemical hazards and appropriate protective measures.

1. Developing and Updating HazCom Programs (30 CFR 47.31 and 47.32)

1-1. Developing New HazCom Programs (30 CFR 47.31(a) and 47.32)

Under 30 CFR 47.31(a), each operator must develop and implement a written HazCom program.

1-2. Updating Existing HazCom Programs (30 CFR 47.31(b) and 47.32)

Under 30 CFR 47.31(b), each operator must maintain the HazCom program for as long as a hazardous chemical is known to be at the mine.

1-3. Creating Records of HazCom Training (30 CFR 47.32(a)(4))

Under 30 CFR 47.32, the HazCom programs must include the following:

(a) How this part is put into practice at the mine through the use of—

- (1) Hazard determination,
- (2) Labels and other forms of warning,
- (3) MSDSs, and
- (4) Miner training.

(b) A list or other record identifying all hazardous chemicals known to be at the mine. The list must—

- (1) Use a chemical identity that permits cross-referencing between the list, a chemical's label, and its MSDS; and

- (2) Be compiled for the whole mine or by individual work areas.

(c) At mines with more than one operator, the methods for—

- (1) Providing other operators with access to MSDSs, and
- (2) Informing other operators about—
 - (i) Hazardous chemicals to which their miners can be exposed,
 - (ii) The labeling system on the containers of these chemicals, and
 - (iii) Appropriate protective measures.

2. Labeling Containers (30 CFR 47.41 through 47.44)

Under 30 CFR 47.41(a), the operator must ensure that each container of a hazardous chemical has a label. If a container is tagged or marked with the appropriate information [as defined in 30 CFR 47.42], it is labeled.

- (1) The operator must replace a container label immediately if it is missing or if the hazard information on the label is unreadable.
- (2) The operator must not remove or deface existing labels on containers of hazardous chemicals.

Under 30 CFR 47.41(b), for each hazardous chemical produced at the mine, the operator must prepare a container label and update this label with any significant, new information about the chemical's hazards within 3 months of becoming aware of this information.

Under 30 CFR 47.41(c), for each hazardous chemical brought to the mine, the operator must replace an outdated label when a revised label is received from the chemical's manufacturer or supplier. The operator is not responsible for an inaccurate label obtained from the chemical's manufacturer or supplier.

Under 30 CFR 47.43, the operator may use signs, placards, process sheets, batch tickets, operating procedures, or other label alternatives for individual, stationary process containers, provided that the alternative—

- (a) Identifies the container to which it applies,
- (b) Communicates the same information as required on the label, and
- (c) Is readily available throughout each work shift to miners in the work area.

Under 30 CFR 47.44(a), the operator do not have to label temporary, portable containers if he or she ensures that the miner using the portable container—

(1) knows the identity of the chemical, its hazards, and any protective measures needed,
and

(2) leaves the container empty at the end of the shift.

Under 30 CFR 47.44(b), operators must mark the temporary, portable container with at least the common name of its contents.

3. Developing and Maintaining MSDSs (30 CFR 47.51 through 47.55)

Under 30 CFR 47.51, operators must have an MSDS for each hazardous chemical which they produce or use. The MSDS may be in any medium, such as paper or electronic, that does not restrict availability.

3-1. Developing New MSDSs for Hazardous Chemicals Produced at Mines (30 CFR 47.51(a))

Under 30 CFR 47.51(a), for each hazardous chemical produced at the mine, the operator must prepare an MSDS, and update it with significant, new information about the chemical's hazards or protective measures within 3 months of becoming aware of this information.

Under 30 CFR 47.52, when an operator must prepare an MSDS for a hazardous chemical produced at the mine, the MSDS must—

- (a) Be legible, accurate, and in English;
- (b) Use a chemical identity that permits cross-referencing between the list of hazardous chemicals, the chemical's label, and its MSDS; and
- (c) Contain information, or indicate if no information is available, for the categories listed in Table 47.57: identity, properties, physical, health hazards, exposure limits, carcinogenicity, safe use, control measures, emergency information, and date prepared.

3-2. Updating Existing MSDSs for Hazardous Chemicals Brought to Mines (30 CFR 47.51(b) and (c))

Under 30 CFR 47.51(b), for each hazardous chemical brought to the mine, the operator must rely on the MSDS received from the chemical manufacturer or supplier, develop their own MSDS, or obtain one from another source.

Under 30 CFR 47.51(c), although the operator is not responsible for an inaccurate MSDS obtained from the chemical's manufacturer, supplier, or other source, operators must—

- (1) Replace an outdated MSDS upon receipt of an updated revision, and
- (2) Obtain an accurate MSDS as soon as possible after becoming aware of an inaccuracy.

3-3. Providing Hazardous Waste Information to Miners (30 CFR 47.53)

Under 30 CFR 47.53, if the mine produces or uses hazardous waste, the operator must provide potentially exposed miners and designated representatives access to available information for the hazardous waste that—

- (a) Identifies its hazardous chemical components,
- (b) Describes its physical or health hazards, or
- (c) Specifies appropriate protective measures.

3-4. Providing MSDS Copies to Miners (30 CFR 47.54)

Under 30 CFR 47.54, the operator must make MSDSs accessible to miners during each work shift for each hazardous chemical to which they may be exposed either—

- (a) At each work area where the hazardous chemical is produced or used, or
- (b) At an alternative location, provided that the MSDS is readily available to miners in an emergency.

3-5. Maintaining MSDSs (30 CFR 47.55(a))

Under 30 CFR 47.55(a), the operator must retain its MSDSs for as long as the hazardous chemical is known to be at the mine.

3-6. Notifying Miners about Removing MSDSs (30 CFR 47.55(b))

Under 30 CFR 47.55(b), operators must notify miners at least 3 months before disposing of the MSDS.

4. Making HazCom Information Available (30 CFR 47.71 and 47.72)

Under 30 CFR 47.71, upon request, the operator must provide access to all HazCom materials to miners and designated representatives.

Under 30 CFR 47.72(a), the operator must provide the first copy and each revision of the HazCom material without cost.

Under 30 CFR 47.72(b), fees for a subsequent copy of the HazCom material must be non-discriminatory and reasonable.

5. Providing Copies of Label and MSDSs to Customers (30 CFR 47.73)

Under 30 CFR 47.73, for a hazardous chemical produced at the mine, the operator must provide customers, upon request, with the chemical's label or a copy of the label information, and the chemical's MSDS.

6. Making Trade Secret Claims (30 CFR 47.81 through 47.84)

Under 30 CFR 47.81(a), operators may withhold the identity of a trade secret chemical, including the name and other specific identification, from the written list of hazardous chemicals, the label, and the MSDS, provided that the operator—

- (1) Can support the claim that the chemical's identity is a trade secret,
- (2) Identifies the chemical in a way that it can be referred to without disclosing the secret,
- (3) Indicates in the MSDS that the chemical's identity is withheld as a trade secret, and
- (4) Discloses in the MSDS information on the properties and effects of the hazardous chemical.

Under 30 CFR 47.81(b), the operator must make the chemical's identity available to miners, designated representatives, and health professionals in accordance with the standards.

Under 30 CFR 47.81(c), this subpart does not require the operator to disclose process or percentage of mixture information, which is a trade secret, under any circumstances.

Under 30 CFR 47.82(a), even if the operator has a trade secret claim, the operator must disclose to MSHA, upon request, any information which the standards require the operator to make available.

Under 30 CFR 47.82(b), the operator must make a trade secret claim, no later than at the time the information is provided to MSHA, so that MSHA can determine the trade secret status and implement the necessary protection.

Under 30 CFR 47.83(a), upon request and regardless of the existence of a written statement of need or a confidentiality agreement, the operator must immediately disclose the identity of a trade secret chemical to the treating health professional when that person determines that—

- (1) A medical emergency exists, and
- (2) The identity of the hazardous chemical is necessary for emergency or first-aid treatment.

Under 30 CFR 47.83(b), the operator may require a written statement of need and confidentiality agreement in accordance with the provisions of section 47.84 and 47.85 as soon as circumstances permit.

Under 30 CFR 47.84, upon request, the operator must disclose the identity of a trade secret chemical in a non-emergency situation to an exposed miner, the miner's designated representative, or a health professional providing services to the miner, if the following conditions are met.

- (a) The request is in writing
- (b) The request describes in reasonable detail an occupational health need for the information, as follows:

- (1) To assess the chemical hazards to which the miner will be exposed.
- (2) To conduct reassignment or periodic medical surveillance of the exposed miner.
- (3) To conduct reassignment or periodic medical surveillance of the exposed miner.

(4) To provide medical treatment to the exposed miner.

(5) To select or assess appropriate personal protective equipment for the exposed miner.

(6) To design or assess engineering controls or other protective measures for the exposed miner.

(7) To conduct studies to determine the health effects of exposure.

(c) The request explains in detail why the disclosure of the following information would not satisfy the purpose described in paragraph (b) of this section:

(1) The properties and effects of the chemical.

(2) Measures for controlling the miner's exposure to the chemical.

(3) Methods of monitoring and analyzing the miner's exposure to the chemical.

(4) Methods of diagnosing and treating harmful exposures to the chemical.

(d) The request describes the procedures to be used to maintain the confidentiality of the disclosed information.

(e) The person making the request enters a written confidentiality agreement that he or she will not use the information for any purpose other than the health needs asserted and agrees not to release the information under any circumstances, except as authorized by § 47.85, by the terms of the agreement, or by the operator.

7. Denying Requests to Disclose Trade Secrets (30 CFR 47.86)

Under 30 CFR 47.86, to deny a written request for disclosure of the identity of a trade secret chemical, the operator must—

(a) Put the denial in writing,

(1) Including evidence to substantiate the claim that the chemical's identity is a trade secret,

(2) Stating the specific reasons why the request is being denied, and

(3) Explain how alternative information will satisfy the specific medical or occupational health need without revealing the chemical's identity.

(b) Provide the denial to the health professional, miner, or designated representative within 30 days of the request.

8. Referring Denied Requests to Disclose Trade Secrets to MSHA for Review (30 CFR 47.87)

Under 30 CFR 47.87(a), the health professional, miner, or designated representative may refer the written denial to MSHA for review. The request for review must include a copy of—

(1) The request for disclosure of the identity of the trade secret chemical,

(2) The confidentiality agreement, and

(3) The operator's written denial.

Under 30 CFR 47.87(c), If MSHA determines that the confidentiality agreement would not sufficiently protect against unauthorized disclosure of the trade secret, MSHA may impose additional conditions to ensure that the occupational health services are provided without an undue risk of harm to the operator.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection titled “Hazard Communication (HazCom) – 30 CFR Part 47.” MSHA is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- Evaluate the accuracy of MSHA’s estimate of the burden of the proposed 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, 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 Hazard Communication (HazCom) – 30 CFR Part 47. 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: 1219-0133

Affected Public: Business or other for-profit entity

Number of Annual Respondents: 18,648

Frequency: On occasion

Number of Annual Responses: 760,972

Annual Time Burden: 196,914 hours

Annual Recordkeeping Costs: \$77,782

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>.

Corliss A. Josephs-Conway

Certifying Officer

Mine Safety and Health Administration

[FR Doc. 2026-15138 Filed: 7/24/2026 8:45 am; Publication Date: 7/27/2026]