



Billing Code: 4510-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

**Proposed Extension of Existing Information Collection;
Underground Retorts**

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 and continuing 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 is soliciting comments concerning the extension of the information collection for 30 CFR 57.22401(b). The Office of Management and Budget last approved this information collection request on October 13, 2009.

DATES: All comments must be postmarked or received by midnight Eastern Time on (INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER).

ADDRESSES: Comments concerning the information collection requirements of this notice must be clearly identified with "OMB 1219-0096" and sent to both the Office of Management and Budget (OMB) and Mine Safety and Health Administration (MSHA). Comments to MSHA may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:*
<http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Facsimile:* 202-693-9441, include "OMB 1219-0096" in the subject line of the message.
- *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939. For hand delivery, sign in at the receptionist's desk on the 21st floor.

Comments to OMB may be sent by mail addressed to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, 725 17th Street, NW., Washington, DC 20503, Attn: Desk Officer for MSHA.

FOR FURTHER INFORMATION CONTACT: Greg Moxness, Chief,
Economic Analysis Division, Office of Standards,
Regulations, and Variances, MSHA, at moxness.greg@dol.gov
(e-mail); 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. Title 30 CFR 57.22401 sets forth the safety requirements for using a retort in underground metal and nonmetal I-A and I-B mines (those that operate within a combustible ore and either liberate methane or have the potential to liberate methane based on the history of the mine or the geological area in which the mine is located). At present, this applies only to underground oil shale mines. The standard requires that prior to ignition of underground retort; mine operators must submit a written ignition and operation plan to the appropriate MSHA District Manager which contains site-specific safeguards and safety procedures for the underground areas of the mine which are affected by the retorts.

This information collection addresses the recordkeeping associated with:

30 CFR 57.22401(b) Underground Retorts (I-A and I-B mines).

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed extension of the information collection related to underground retorts in Metal and Nonmetal I-A and I-B 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 the Agency'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
- Address the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (e.g., permitting electronic submissions of responses) to minimize the burden of the collection of information on those who are to respond.

The public may examine publicly available documents, including the public comment version of the supporting statement, at MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939. OMB clearance requests are available on MSHA's website at <http://www.msha.gov> under "Rules & Regs" on the right side of the screen by selecting [Information Collections Requests](#), [Paperwork Reduction Act Supporting Statements](#). The document will be available on MSHA's website for 60 days after the publication date of this notice. Comments submitted in writing or in electronic form will be made available for public inspection. Because comments will not be edited to remove any identifying or contact information, MSHA cautions the commenter against including any information in the submission that should not be publicly disclosed. 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

The request for information contains provisions whereby mine operators can maintain compliance with the regulations and assure the safety of miners where underground retorts are used. MSHA has updated the data in respect to the number of respondents and responses, as well as the total

burden hours and burden costs supporting this information collection extension request.

Summary

Type of Review: Extension

Agency: Mine Safety and Health Administration

Title: Underground Retorts

OMB Number: 1219-0096

Affected Public: Business or other for-profit

Cite/Reference/Form/etc: 30 CFR 57.22401

Total Number of Respondents: 1

Frequency: Infrequent

Total Number of Responses: 1

Total Burden Hours: 160 hours

Total Annual Cost Burden: \$ 0.0

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.

Authority: 44 U.S.C. 3506(c)(2)(A).

George F. Triebsch
Certifying Officer

Dated: April 23, 2012

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