



Billing Code: 4510-43-P

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**[OMB Control No. 1219-0097]**

**Proposed Extension of Information Collection; Rock Burst**

Control Plan, (Pertains to Underground Metal/Nonmetal Mines)

**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 the Rock Burst Control Plan,  
(Pertains to Underground Metal/Nonmetal 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.

- *Federal E-Rulemaking Portal:*  
  
*<http://www.regulations.gov>*. Follow the on-line  
instructions for submitting comments for docket  
number MSHA-2020-0017.
- *Regular Mail:* Send comments to USDOL-MSHA, Office  
of Standards, Regulations, and Variances, 201 12<sup>th</sup>  
Street South, Suite 4E401, Arlington, VA 22202-  
5452.
- *Hand Delivery:* USDOL-Mine Safety and Health  
Administration, 201 12<sup>th</sup> Street South, Suite 4E401,  
Arlington, VA 22202-5452. Sign in at the  
receptionist's desk on the 4<sup>th</sup> floor via the East  
elevator.

**FOR FURTHER INFORMATION CONTACT: Roslyn B. Fontaine,  
Acting Director, Office of Standards, Regulations, and**

**Variances, MSHA, at [MSHA.information.collections@dol.gov](mailto:MSHA.information.collections@dol.gov) (email); (202) 693-9440 (voice); or (202) 693-9441 (facsimile).**

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 101(a), 30 U.S.C. 811(a), allows MSHA to promulgate standards that would require operators to make and retain records from which MSHA would then collect information. Section 103(h), 30 U.S.C. 813(h), of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 801 et seq., authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners.

Title 30 CFR 57.3461 requires operators of underground metal and nonmetal mines to develop and implement a rock burst control plan within 90 days after a rock burst has been experienced. Plans are required to include: mining and operating procedures designed to reduce the occurrence of rock bursts; monitoring procedures where detection methods are used; and other measures to minimize exposure of persons to areas prone to rock bursts. Plans are also required to be updated as conditions warrant and to be made available to MSHA inspectors and to miners or their representatives. The standard does not require that all

underground metal and nonmetal mines develop these preventative measures, but it does require that all mines with a rock burst history develop and implement a rock burst control plan.

When rock bursts occur in an underground mine, they pose a serious threat to the safety of miners in the area affected by the burst. These bursts may reasonably be expected to result in the entrapment of miners, death, and serious physical harm. Recent mining technology of monitoring rock stresses allows for the prediction of an oncoming burst. These predictions can be used by the mine operator to move miners to safer locations and to establish areas which need relief drilling.

## **II. Desired Focus of Comments**

MSHA is soliciting comments concerning the proposed information collection related to Rock Burst Control Plan, (Pertains to Underground Metal/Nonmetal 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 information collection request will be available on <http://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](http://www.regulations.gov) and [www.reginfo.gov](http://www.reginfo.gov).

The public may also examine publicly available documents at USDOL-Mine Safety and Health Administration, 201 12<sup>th</sup> South, Suite 4E401, Arlington, VA 22202-5452. Sign in at the receptionist's desk on the 4th floor via the East elevator.

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 request for collection of information contains provisions for Rock Burst Control Plan, (Pertains to Underground Metal/Nonmetal Mines). MSHA has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request.

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

*Agency:* Mine Safety and Health Administration

*OMB Number:* 1219-0097

*Affected Public:* Business or other for-profit

*Number of Respondents:* 1

*Frequency:* On occasion

*Number of Responses:* 1

*Annual Burden Hours:* 12 hours

*Annual Respondent or Recordkeeper Cost:* \$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.

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Roslyn B. Fontaine,  
*Certifying Officer.*

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