

A copy of the proposed information collection request can be obtained by contacting the employee listed below in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

**DATES:** Submit comments on or before December 31, 2001.

**ADDRESSES:** Send comments to Gordon J. Burke, Jr., Director, Administration and Management, 4015 Wilson Boulevard, Room 615, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via e-mail to [Burke-Gordon@msha.gov](mailto:Burke-Gordon@msha.gov), along with an original printed copy. Mr. Burke can be reached at (703) 235-1383 (voice) or (703) 235-1563 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Charlene Barnard, Records Management Division, Administration and Management, U.S. Department of Labor, Mine Safety and Health Administration, Room 725, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Ms. Barnard can be reached at [barnard-charlene@msha.gov](mailto:barnard-charlene@msha.gov) (Internet E-mail), (703) 235-1470 (voice), or (703) 235-1563 (facsimile).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Section 101(a)(7) of the Mine Act mandates in part that mandatory standards prescribe the use of protective equipment where appropriate to protect miners against hazards. Where protective equipment or respirators are required because of exposure to harmful substances, MSHA must ensure that such equipment offers adequate protection for workers. A written respirator program that addresses such issues as selection, fitting, use, and maintenance of respirators is essential for ensuring that workers are properly and effectively using the equipment. Records of fit-testing are essential for determining that the worker is wearing the proper respirator.

Title 30 CAR sections 56.5005 and 57.5005 require metal and nonmetal mine operators to institute a respirator program governing selection, maintenance, training, fitting, supervision, cleaning and use of respirators. To control those occupational diseases caused by breathing air contaminated with harmful dusts, fumes, mists, gases, or vapors, the primary objective is to prevent atmospheric contamination. MSHA's current policy, as prescribed by regulation, is to require that this be accomplished by feasible engineering measures. When effective controls are not feasible, or while they are being instituted, or during occasional entry

into hazardous atmospheres to perform maintenance or investigations, appropriate respirators are to be used in accordance with established procedures protecting the miners.

Sections 56.5005 and 57.5005 incorporate by reference requirements of the American National Standards Institute (ANSI Z88.2-1969). These incorporated requirements mandate that miners who must wear respirators be fit-tested to the respirators that they will use. Certain records also required to be kept in connection with respirators, including records of the date of issuance of the respirator, and fit-test results. The fit-testing records are essential for determining that the worker is wearing the proper respirator.

##### **II. Current Actions**

The mine operator uses the information to properly issue respiratory protection to miners when feasible engineering and/or administrative controls do not reduce the exposure to permissible levels. Fit-testing records are used to ensure that a respirator worn by an individual is in fact the one for which that individual received a tight fit. MSHA uses the information to determine compliance with the standard.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Respirator Program Records.

*MOB Number:* 1219-0048.

*Record keeping:* None.

*Affected Public:* Business or other for-profit.

*Cite/Reference/Form/etc:* 30 CFR 56.5005 and 57.5005.

*Total Respondents:* 310.

*Frequency:* On occasion.

*Total Responses:* 5,530.

*Average Time per Response:* 4.04 hours.

*Estimated Total Burden Hours:* 2,235 hours.

*Total Burden Cost (capital/startup):* None.

*Total Burden Cost (operating/maintaining):* \$156,350.

Comments submitted in response to this notice will be summarized and/or 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.

Dated: October 26, 2001.

**Gordon J. Burke, Jr.,**

*Director, Administration and Management and Information Resources.*

[FR Doc. 01-27451 Filed 10-31-01; 8:45 am]

**BILLING CODE 4510-43-M**

## **DEPARTMENT OF LABOR**

### **Mine Safety and Health Administration**

#### **Proposed Information Collection Request Submitted for Public Comment and Recommendations; Rock Burst Control Plan**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. 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.

**DATES:** Submit comments on or before December 31, 2001.

**ADDRESSES:** Send comments to Gordon J. Burke, Jr., Director, Administration and Management, 4015 Wilson Boulevard, Room 615, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via Internet E-mail to [Burke-Gordon@msha.gov](mailto:Burke-Gordon@msha.gov), along with an original printed copy. Mr. Burke can be reached at (703) 235-1383 (voice), or (703) 235-1563 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Gordon J. Burke, Jr., Director, Administration and Management, U.S. Department of Labor, Mine Safety and Health Administration, Room 615, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Ms. Burke can be reached at [burke-gordon@msha.gov](mailto:burke-gordon@msha.gov) (Internet E-mail), (703) 235-1383 (voice), or (703) 235-1381 (facsimile).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

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 has disclosed scientific methods of monitoring rock stresses which will allow 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. Title 30, Section 57.3461 requires operators of underground metal and nonmetal mines to develop a rock burst control plan within 90 days after a rock burst has been experienced.

## II. Desired Focus of Comments

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Rock Burst Control Plans. MSHA is particularly interested in comments which:

- 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 the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- 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 submissions of responses.

A copy of the proposed information collection request may be viewed on the Internet by accessing the MSHA Home Page (<http://www.msha.gov>) and selecting "Statutory and Regulatory information" then "Paperwork Reduction Act submission (<http://www.msha.gov/regspwork.htm>)", or by contacting the employee listed above in the **FOR FURTHER INFORMATION CONTACT** section of this notice for a hard copy.

## III. Current Actions

This information collection needs to be extended to provide for the protection of miners from entrapment, death, or serious physical harm in metal and nonmetal underground mines with a history of rock bursts.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Rock Burst Control Plans.

*OMB Number:* 1219-0097.

*Recordkeeping:* The control plan must be maintained at all times and updated as conditions warrant.

*Affected Public:* Business or other for-profit.

*Frequency:* On occasion.

*Cite/Reference/Form/etc:* 30 CFR 57.3461.

*Total Respondents:* 2.

*Total Responses:* 2.

*Average Time per Response:* 12 hours.  
*Estimated Total Burden Hours:* 12 hours.

*Total Annualized Capital/Startup Costs:* \$0.

*Total Operating and Maintenance Costs:* \$0.

Comments submitted in response to this notice will be summarized and/or 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.

Dated: October 26, 2001.

**Gordon J. Burke, Jr.,**

*Director, Administration and Management.*

[FR Doc. 01-27452 Filed 10-31-01; 8:45 am]

**BILLING CODE 4510-43-M**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. NRTL-1-89]

#### Intertek Testing Services, NA, Inc., Application for Expansion of Recognition

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** This notice announces the application of Intertek Testing Services, NA, Inc., for expansion of its recognition as a Nationally Recognized Testing Laboratory under 29 CFR 1910.7, and presents the Agency's preliminary finding. This preliminary finding does not constitute an interim or temporary approval of this application.

**DATES:** Comments submitted by interested parties, or any request for extension of the time to comment, must be received no later than November 16, 2001.

**ADDRESSES:** Submit written comments concerning this notice to: Docket Office, Docket NRTL1-89, U.S. Department of Labor, Occupational Safety and Health Administration, Room N2625, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-2350. Commenters may transmit written comments of 10 pages or less in length by facsimile to (202) 693-1648. Submit request for extensions concerning this notice to: Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3653, 200 Constitution Avenue, NW, Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Bernard Pasquet, Office of Technical

Programs and Coordination Activities at the above address, or phone (202) 693-2110.

#### SUPPLEMENTARY INFORMATION:

##### Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that Intertek Testing Services, NA, Inc. (ITSNA), has applied for expansion of its current recognition as a Nationally Recognized Testing Laboratory (NRTL). ITSNA's expansion request covers the use of an additional testing site. OSHA's current scope of recognition for ITSNA may be found in the following informational web page: <http://www.osha-slc.gov/dts/otpca/nrtl/its.html>.

OSHA recognition of an NRTL signifies that the organization has met the legal requirements in section 1910.7 of title 29, Code of Federal Regulations (29 CFR 1910.7). Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products "properly certified" by the NRTL to meet OSHA standards that require testing and certification.

The Agency processes applications by an NRTL for initial recognition or for expansion or renewal of this recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding and, in the second notice, the Agency provides its final decision on an application. These notices set forth the NRTL's scope of recognition or modifications of this scope.

The most recent notices published by OSHA for ITSNA's recognition covered its renewal of recognition, which OSHA announced on December 17, 1998 (63 FR 69676) and granted on May 29, 2001 (66 FR 29178). In the May notice, we briefly explain the lapse in time between the two notices. Generally, the period between the two notices is about 1 to 2 months.

The current address of the ITSNA testing facilities already recognized by OSHA are:

ITSNA Antioch, 2200 Wymore Way,  
Antioch, California 94509  
ITSNA Atlanta, 1950 Evergreen Blvd.,  
Suite 100, Duluth, Georgia 30096  
ITSNA Boxborough, 70 Codman Hill  
Road, Boxborough, Massachusetts  
01719