

I. Overview

Title 30 CFR 57.11050, Escapeways and Refuges, requires escapeways in underground MNM mines to enable miners to escape in an emergency and, when they cannot escape, the standard requires refuges to enable miners to shelter safely in place until they can be rescued. Based on questions from underground MNM operators, MSHA believes that this PPL addresses a significant safety issue regarding the placement of a refuge in a location that provides miners access if they cannot escape.

In accordance with Executive Order 12866 on Regulatory Planning and Review and the Office of Management and Budget's (OMB) Final Bulletin for Agency Good Guidance Practices, MSHA has determined that the guidance would not be economically significant as there would be no new costs. MSHA has determined, however, that the guidance is significant because it may reasonably be anticipated to raise novel legal or policy issues. MSHA is therefore issuing this PPL for public comment to clarify the existing standard regarding placement of refuges required by 30 CFR 57.11050(a), and will review all comments received.

David G. Zatezalo,

Assistant Secretary for the Mine Safety and Health Administration.

EFFECTIVE DATE:

PROGRAM POLICY LETTER NO. P18-IV-

FROM: TIMOTHY WATKINS;

Administrator for Enforcement
Mine Safety and Health

SUBJECT: Escapeways and Refuges (30 CFR 57.11050)

Scope

This Program Policy Letter (PPL) applies to underground metal and nonmetal (MNM) mine operators, miners, miners' representatives, Mine Safety and Health Administration (MSHA) enforcement personnel, and other interested parties.

Background

Recently, underground MNM operators have raised questions regarding the placement of refuges required by 30 CFR 57.11050(a). This PPL provides guidance regarding the placement of such refuges under the standard.

Purpose

This PPL provides guidance regarding the existing standard that requires refuges to protect underground MNM miners in mines while a second escapeway is being developed or during

the exploration or development of an ore body, and the location of such refuges.

Policy

Title 30 CFR 57.11050, Escapeways and Refuges, requires two or more separate, properly-maintained escapeways in underground MNM mines to enable miners to escape in an emergency and, when they cannot escape, the standard requires refuges to enable miners to shelter safely in place until they can be rescued.

The standard at 30 CFR 57.11050(a) recognizes two exceptions to the requirement that underground MNM miners be provided at least two separate escapeways from their working places to the surface. First, miners must be provided a method of refuge while a second escapeway is being developed. Second, during the exploration or development of an ore body, a second escapeway is "recommended, but not required." MSHA consistently has interpreted these two exceptions to mean that if, in either of these situations, miners have only one escapeway from their working place, miners must have access to a refuge.

This refuge should be located near the miners so that they promptly and reliably can enter the refuge if they cannot escape. In determining an appropriate distance, MSHA considers mine-specific factors in each case. MSHA recognizes that it may not be practicable for most working places near the portal (for example, within 300 feet) in a horizontal configuration (as opposed to vertical) to have refuges. On the other hand, MSHA believes that in most cases a refuge located, for example, 1500 feet from miners on a relatively level surface (or, for example, reachable within a 10-minute walk in any configuration while carrying an injured miner) would generally be close enough to provide the protection the standard intends. Mine operators are encouraged to consult with their MSHA District Manager to determine appropriate refuge locations given mine-specific conditions and factors (e.g. steeply pitched, narrow, uneven, low-height, or wet travelways) when developing and reviewing the mine's escape and evacuation plan under 30 CFR 57.11053.

Authority

The Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. 801 et seq; 30 CFR 57.11050 and 57.11053.

Filing Instructions

This program policy letter should be filed behind the tab marked "Program

Policy Letters" at the back of Volume IV of the Program Policy Manual.

Internet Availability

This program policy letter may be viewed on the internet by accessing MSHA's homepage at www.msha.gov and then choosing "Regulations," "Policy and Procedures," and selecting "Program Policy Letters."

Issuing Office and Contact Person

Metal and Nonmetal Mine Safety and Health, Deputy Administrator for Metal and Nonmetal, Brian Goepfert, (202) 693-9600, Email: goepfert.brian@dol.gov

Distribution

MSHA Program Policy Manual Holders
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Metal and Nonmetal Mine Operators
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NATIONAL CREDIT UNION ADMINISTRATION

Agency Information Collection Activities: Proposed Collection; Comment Request; Supervisory Committee Audits and Verifications

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice and request for comment.

SUMMARY: The National Credit Union Administration (NCUA), as part of a continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the following renewal of a currently approved collection, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments should be received on or before September 27, 2019 to be assured consideration.

ADDRESSES: Interested persons are invited to submit written comments on the information collection to Mackie Malaka, National Credit Union Administration, 1775 Duke Street, Suite 6058, Alexandria, Virginia 22314, or email at PRAComments@NCUA.gov.

FOR FURTHER INFORMATION CONTACT: Address requests for additional information to the address above or telephone 703-548-2704.

SUPPLEMENTARY INFORMATION:

OMB Number: 3133-0059.

Title: Supervisory Committee Audits and Verifications, 12 CFR 715.

Type of Review: Extension of a currently approved collection.

Abstract: Title 12 CFR part 715 prescribes the responsibilities of the supervisory committee to obtain an audit of the credit union and verification of member accounts as outlined in Section 115 of the Federal Credit Union Act, 12 U.S.C. 1761d. A supervisory committee audit is required at least once every calendar year covering the period since the last audit and to conduct a verification of members' accounts not less frequently than once every two years.

The information is used by both the credit union and the NCUA to ensure through audit testing that the credit union's assets, liabilities, equity, income, and expenses exist, are properly valued, controlled and meet ownership, disclosure and classification requirements of sound financial reporting. A written report on the audit must be made to the board of directors and, if requested, NCUA. Working papers must be maintained and made available to NCUA. Independence requirements must be met; standards governing verifications and the methods used to verify member's passbooks and accounts are set forth. Section 741.202 makes these requirements applicable to federally insured state-chartered credit unions.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated No. of Respondents: 6,025 (FCUs and FICU).

Estimated Annual Frequency: 4.35.

Estimated Total Annual Responses: 26,228.

Estimated Total Annual Burden Hours: 44,411.

Reason for Change: Adjustments are attributed to updated data since the previous submission.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. The public is invited to submit comments concerning: (a) Whether the collection of information is necessary for the proper execution of the function of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of the information on the respondents, including the use of automated collection techniques or other forms of information technology.

By Gerard Poliquin, Secretary of the Board, the National Credit Union Administration, on July 23, 2019.

Dated: July 23, 2019.

Mackie I. Malaka,
NCUA PRA Clearance Officer.

[FR Doc. 2019-15965 Filed 7-26-19; 8:45 am]

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NATIONAL CREDIT UNION ADMINISTRATION

Agency Information Collection Activities: Proposed Collection; Comment Request; Production of Non-Public Records and Testimony of Employees in Legal Proceedings (Touhy Request)

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice and request for comment.

SUMMARY: The National Credit Union Administration (NCUA), as part of a continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the extension of a currently approved collection, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments should be received on or before September 27, 2019 to be assured consideration.

ADDRESSES: Interested persons are invited to submit written comments on the information collections to the Mackie Malaka, National Credit Union Administration, 1775 Duke Street, Suite 6058, Alexandria, Virginia 22314, or email at PRAComments@NCUA.gov.

FOR FURTHER INFORMATION CONTACT: Address requests for additional information to the address above or telephone (703) 548-2704.

SUPPLEMENTARY INFORMATION:

OMB Number: 3133-0146.

Title: Production of Non-public Records and Testimony of Employees in Legal Proceedings (Touhy Request).

Type of Review: Extension of a currently approved collection.

Abstract: 12 CFR part 792, subpart C requires anyone requesting NCUA non-public records for use in legal proceedings, or similarly the testimony of NCUA personnel, to provide NCUA with information regarding the requester's grounds for the request. This process is also known as a "Touhy Request". The information collected will help NCUA decide whether to release non-public records or permit employees to testify in legal proceedings. NCUA regulations also require an entity or person in possession

of NCUA records to notify the NCUA upon receipt of a subpoena for those records. The NCUA requires this notice to protect its records and, when necessary, intervene in litigation or file an objection to the disclosure of its confidential information in the appropriate court or tribunal.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated No. of Respondents: 20.

Estimated Annual Frequency: 1.

Estimated Annual Number of Responses: 20.

Estimated Burden Hours per Response: 4 hours.

Estimated Total Annual Burden Hours: 80.

Reason for Change: An adjustment increase is being made to the number of hours per response to give a more accurate account of the time it takes to prepare a Touhy request.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. The public is invited to submit comments concerning: (a) Whether the collection of information is necessary for the proper execution of the function of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of the information on the respondents, including the use of automated collection techniques or other forms of information technology.

By Gerard Poliquin, Secretary of the Board, the National Credit Union Administration, on July 23, 2019.

Dated: July 23, 2019.

Mackie I. Malaka,
NCUA PRA Clearance Officer.

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NATIONAL SCIENCE FOUNDATION

Notice of Workshop on Artificial Intelligence & Wireless Spectrum: Opportunities and Challenges

AGENCY: Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO), National Science Foundation.

ACTION: Notice of workshop.