

Respirable Coal Mine Dust Sampling information collection. Section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the 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 or other mines. The existing standards provide that each coal mine operator sample bimonthly the designated occupations or work locations of the mine and submit these samples to MSHA for analysis to determine if the mine is complying with the applicable dust standards. Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty to protect the safety and health of miners. See 30 U.S.C. 811 and 30 U.S.C. 813(h).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1219-0011.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on July 31, 2019. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 3, 2019 (84 FR 19122).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty-(30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1219-0011. The OMB 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 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 submission of responses.

*Agency:* DOL-MSHA.

*Title of Collection:* Respirable Coal Mine Dust Sampling.

*OMB Control Number:* 1219-0011.

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

*Total Estimated Number of Respondents:* 1,035.

*Total Estimated Number of Responses:* 1,291,236.

*Total Estimated Annual Time Burden:* 62,748 hours.

*Total Estimated Annual Other Costs Burden:* \$28,065.

*Authority:* 44 U.S.C. 3507(a)(1)(D).

Dated: July 23, 2019.

**Frederick Licari,**

*Departmental Clearance Officer.*

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**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

[Docket No. MSHA-2018-0015]

#### Escapeways and Refuges in Underground Metal and Nonmetal Mines

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice of availability of Program Policy Letter; request for comments.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) announces the issuance of a Program Policy Letter (PPL) to provide mine operators guidance regarding the existing requirement to provide escapeways for underground metal and nonmetal (MNM) miners to enable them to escape in an emergency and, when they cannot

escape, for refuges to enable miners to shelter safely in place until they can be rescued. This guidance responds to questions concerning the location of such refuges under the standard. This guidance is not a rulemaking.

**DATES:** Comments must be received or postmarked by midnight Eastern Daylight Time (EDT) on September 27, 2019.

**ADDRESSES:** Submit comments and informational materials, identified by Docket No. MSHA-2018-0015, by one of the following methods:

- *Federal E-Rulemaking Portal:* <https://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Email:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov).

- *Email:* [GoodGuidance@dol.gov](mailto:GoodGuidance@dol.gov).
- *Mail:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452.

- *Hand Delivery or Courier:* 201 12th Street South, Suite 4E401, Arlington, Virginia, between 9:00 a.m. and 5:00 p.m. Monday through Friday, except Federal holidays. Sign in at the receptionist's desk on the 4th floor East, Suite 4E401.

- *Fax:* 202-693-9441.

*Instructions:* All submissions must include Docket No. MSHA-2018-0015. Do not include personal information that you do not want publicly disclosed.

*Email Notification:* To subscribe to receive email notification when MSHA publishes rulemaking documents in the **Federal Register**, go to <https://www.msha.gov/subscriptions>.

#### FOR FURTHER INFORMATION CONTACT:

Sheila A. McConnell, Director, Office of Standards, Regulations, and Variances, MSHA, at [mccconnell.sheila.a@dol.gov](mailto:mccconnell.sheila.a@dol.gov) (email), 202-693-9440 (voice), or 202-693-9441 (fax). These are not toll-free numbers.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Information

MSHA will post all comments without change, including any personal information provided. Access comments and information electronically at <https://www.regulations.gov>, or <https://www.msha.gov/currentcomments.asp>. Review comments in person at MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, Virginia, between 9:00 a.m. and 5:00 p.m. Monday through Friday, except Federal holidays. Sign in at the receptionist's desk on the 4th floor East, Suite 4E401.

## 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](http://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](mailto:goepfert.brian@dol.gov)

### Distribution

MSHA Program Policy Manual Holders  
Miners' Representatives  
Metal and Nonmetal Mine Operators  
Special Interest Groups

[FR Doc. 2019-16105 Filed 7-26-19; 8:45 am]

BILLING CODE 4520-43-P

## 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](mailto: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.