

*Volume Curve Normal Standards, Variability, and Effects of Age*, 113 Am. Rev. of Respir. Disease 587 (1976) (“Knudson 1976”). See 45 FR 13711. OWCP is considering developing new tables based on reference values in one of two more recent studies: (1) John L. Hankinson, et al., *Spirometric Reference Values from a Sample of the General U.S. Population*, 159 Am. J. of Respir. & Critical Care Med. 179 (1999) (“NHANES III”); or (2) Philip H. Quanjer, et al., *Multi-Ethnic Reference Values for Spirometry for the 3–95-Year Age Range: The Global Lung Function 2012 Equations*, 40 Eur. Respir. J. 1324 (2012) (“GLI 2012”).

9. Is either (or both) of these sets of reference values superior to the Knudson 1976 values? Why?

10. Which of these two sets of reference values is better suited to evaluating respiratory disability in coal miners? Why?

11. Are there other sets of reference values OWCP should consider?

#### C. Arterial Blood Gas Studies—Test Administration

12. Should OWCP require facilities administering ABG studies and analyzing samples to either have a Clinical Laboratory Improvement Amendments of 1988 (CLIA) certificate or be CLIA-exempt? See 42 CFR 493.2.

13. Should OWCP require the use of plastic syringes instead of glass syringes? If plastic syringes are used, should OWCP prohibit icing blood samples prior to analysis? See, e.g., Thomas P. Knowles, et al., *Effects of Syringe Material, Sample Storage Time, and Temperature on Blood Gases and Oxygen Saturation in Arterialized Human Blood Samples*, 51 Resp. Care 732 (2006); Gregg L. Ruppel, *Of Time and Temperature, Plastic and Glass: Specimen Handling in the Blood-Gas Laboratory*, 51 Resp. Care 717 (2006).

14. Should OWCP require that a blood sample be analyzed within a certain time period of the sample being drawn for the result to be considered valid, and if so, what should that time period be? See *id.*

15. Currently, § 718.105(b) provides that if an exercise ABG study is conducted, “blood shall be drawn during exercise.” Should OWCP allow pulse oximetry measurements ( $S_pO_2$ ) to be used in lieu of a blood draw during exercise? See, e.g., 20 CFR part 404, subpart P, appendix 1, part A, Listing 3.02C (allowing chronic impairment of gas exchange to be demonstrated through ABG test or pulse oximetry results).

16. Currently, appendix C to part 718 provides that ABG tests “must not be

performed during or soon after an acute respiratory or cardiac illness.” Should OWCP further define this requirement? If so, how should it be defined?

17. What are the costs, benefits, and the technological and economic feasibility of these suggested changes to ABG administration standards?

#### D. Arterial Blood Gas Studies—Qualifying Disability Criteria

18. Do the Tables in Appendix C need to be revised? If so, what criteria should OWCP consider and why?

#### E. Pulse Oximetry ( $S_pO_2$ )

19. Should OWCP adopt test administration standards for pulse oximetry? If so, what standards should OWCP consider adopting and why? See, e.g., 20 CFR part 404, subpart P, appendix 1, part A, Listing 3.00H1–2.

20. Are there  $S_pO_2$  values that would establish total respiratory disability in a coal miner under the BLBA absent contrary probative evidence? If so, what values should OWCP consider and why?

21. Should OWCP require a threshold measurement of a miner’s oxygen saturation level through pulse oximetry before determining whether more invasive testing such as an ABG is necessary? If so, what should the threshold be? What are the advantages and disadvantages (including potential costs or benefits) of adopting such a threshold measurement?

#### F. Diffusing Capacity of the Lungs for Carbon Monoxide (DLCO)

22. Should OWCP adopt test administration standards for DLCO testing? If so, what standards should OWCP consider adopting and why? See, e.g., Brian L. Graham, et al., *2017 ERS/ATS Standards for Single-Breath Carbon Monoxide Uptake in the Lung* (2017); 20 CFR part 404, subpart P, appendix 1, part A, Listing 3.00F1–3.

23. Are there DLCO values that would establish total respiratory disability in a coal miner under the BLBA absent contrary probative evidence? If so, what values should OWCP consider and why?

#### G. Other Information

24. Please provide any other data or information that may be useful to OWCP in evaluating its quality standards and related disability criteria, including whether there are other tests of respiratory disability for which quality standards or qualifying disability criteria should be developed.

Dated: September 18, 2019.

**Julia K. Hearthway**,

*Director, Office of Workers’ Compensation Programs.*

[FR Doc. 2019–20851 Filed 9–26–19; 8:45 am]

**BILLING CODE 4510–CR–P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### 30 CFR Parts 56, 57, 70, 71, 72, and 90

[Docket No. MSHA–2016–0013]

RIN 1219–AB36

#### Respirable Silica (Quartz)

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

**ACTION:** Announcement of public meeting and correction.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) is announcing the date and location of a public meeting on the Agency’s Request for Information on Respirable Silica (Quartz). In addition, this document corrects a typographical error included in the Request for Information that published on August 29, 2019.

**DATES:** The meeting date and location is listed in the **SUPPLEMENTARY INFORMATION** section of this document. Comments must be received or postmarked by midnight Eastern Daylight Saving time on October 28, 2019.

**ADDRESSES:** Submit comments and informational materials, identified by Docket No. MSHA–2016–0013, 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–2016–0013. 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://public.govdelivery.com/accounts/USDOL/subscriber/new>.

*Docket:* For access to the docket to read comments received, go to <http://www.regulations.gov> or <http://arlweb.msha.gov/currentcomments.asp>. To read background documents, go to <http://www.regulations.gov>. Review the docket in person at MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, Virginia, between 9 a.m. and 5 p.m. Monday through Friday, except Federal Holidays. Sign in at the receptionist's desk in Suite 4E401. [Docket Number: MSHA-2016-0013]

**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:**

**I. Public Meeting**

MSHA will hold a public meeting on the Agency's Request for Information on Respirable Silica (Quartz) to receive input from industry, labor, and other interested parties. The public meeting will be held on October 17, 2019, at MSHA Headquarters, 201 12th Street South, Arlington, Virginia 22202-5452. The public meeting will begin at 9 a.m. local time and conclude at 5 p.m., or until the last speaker speaks. The meeting will be conducted in an informal manner. Presenters and attendees may provide written information to the court reporter for inclusion in the record. MSHA will make the transcript of the meeting available at <http://www.regulations.gov> and on MSHA's website at: <https://arlweb.msha.gov/currentcomments.asp>.

**II. Correction**

MSHA's Request for Information, which published in the issue of August 29, 2019, at 84 FR 45452, included a typographical error.

On page 45453, in the first paragraph, in the third column, the last sentence is revised to read: "In 2016, the Occupational Safety and Health Administration (OSHA) amended MSHA's existing respirable crystalline silica standards to establish a permissible exposure limit (PEL) of 50 µg/m<sup>3</sup> (ISO).<sup>11</sup>" The sentence should read, "In 2016, the Occupational Safety and Health Administration (OSHA) amended OSHA's existing respirable crystalline silica standards to establish a

permissible exposure limit (PEL) of 50 µg/m<sup>3</sup> (ISO).<sup>11</sup>"

**David G. Zatezalo,**

*Assistant Secretary of Labor for Mine Safety and Health Administration.*

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 571**

[Docket No. NHTSA-2019-0093]

RIN 2127-AL37

**Federal Motor Vehicle Safety Standards; Occupant Crash Protection**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Advance notice of proposed rulemaking (ANPRM).

**SUMMARY:** The Moving Ahead for Progress in the 21st Century Act of 2012 directs NHTSA to initiate a rulemaking proceeding to amend Federal Motor Vehicle Safety Standard No. 208, "Occupant crash protection," to require a seat belt use warning system for rear seats. NHTSA initiated a rulemaking proceeding in 2013, and as it continues with this proceeding NHTSA is seeking public comment on a variety of issues related to a requirement for a rear seat belt warning system. NHTSA seeks comment on, among other things, potential requirements for such systems, the vehicles to which they should apply, their effectiveness, the likely consumer acceptance, and the associated costs and benefits.

**DATES:** You should submit your comments early enough to be received not later than November 26, 2019.

**ADDRESSES:** You may submit comments to the docket number identified in the heading of this document by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* 1200 New Jersey Avenue SE, West Building

Ground Floor, Room W12-140, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- *Fax:* 202-493-2251.

*Instructions:* All submissions must include the agency name and docket number. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act discussion below. We will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, we will also consider comments filed after the closing date.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> at any time or to 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: (202) 366-9826.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000, (Volume 65, Number 70; Pages 19477-78) or you may visit <http://www.dot.gov/privacy.html>.

*Confidential Business Information:* If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NHTSA, at the address given under **FOR FURTHER INFORMATION CONTACT**. In addition, you should submit two copies, from which you have deleted the claimed confidential business information, to the Docket at the address given above. When you send a comment containing information claimed to be confidential business information, you should include a cover letter setting forth the information specified in our confidential business information regulation (49 CFR part 512).

**FOR FURTHER INFORMATION CONTACT:** You may contact Ms. Carla Rush, Office of Crashworthiness Standards, Telephone: 202-366-4583, Facsimile: 202-493-2739 or Mr. John Piazza, Office of Chief Counsel, Telephone: 202-366-2992, Facsimile: 202-366-3820. You may

<sup>11</sup> Occupational Safety and Health Administration (OSHA). 2016. Occupational Exposure to Respirable Crystalline Silica—Final Rule. 81 FR 16286.