

## I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

## II. Petition for Modification

*Docket Number:* M–2023–001–M.

*Petitioner:* Bunker Hill Mining Corp., 1 Mine Road, Kellogg, ID 83837.

*Mine:* Bunker Hill Mine, MSHA ID No. 10–00083, located in Shoshone County, Idaho.

*Regulation Affected:* 30 CFR 57.11052(d), Refuge areas.

*Modification Request:* The petitioner requests a modification of 30 CFR 57.11052(d) to allow the mine to use compressed air cylinders to supply air inside the refuge chamber in lieu of the use of a compressed air line and to provide commercially purchased water in sealed bottles inside the refuge chamber in lieu of a waterline.

*The petitioner states that:*

(a) The mine is an underground silver, zinc, and lead mine with one refuge chamber that is purpose built with sealed cinder block walls integrated into the mine infrastructure.

(b) Mining access is by single, lateral development drifts driven through waste rock adjacent to the ore body with entry points on different levels for ore body exploration and development.

(c) There are generally 15 miners working in the mine when development activities are underway and typically 6 miners working on the same level as the refuge chamber, one to two times a week, for approximately 6 hours at each time.

(d) There is no natural or potable water source at the mine readily available to supply water through a waterline. The storage of commercially purchased bottled water will ensure that high-quality water is available to miners in the refuge chamber, without risk of damage to a waterline.

(e) The mine does not have usable compressed air lines throughout the

mine. Due to insufficient power supply, the mine currently uses portable diesel compressors to supply compressed air periodically. However, portable diesel compressors are subject to damage or failure, so the use of portable diesel compressors to supply constant air through compressed air lines for refuge chambers is not practical or safe.

*The petitioner proposes the following alternative method:*

(a) The refuge chamber shall have drinking water supplied with commercially purchased water in sealed bottles inside the chamber.

(1) The water provided shall be sufficient for 6 miners for a 96 hour period. Six cases, each consisting of 32, 16.9 fluid ounce bottles of commercially bottled water shall be maintained in the refuge chamber.

(2) The bottled water shall be visually inspected monthly.

(3) The bottled water shall be replaced every 2 years or sooner in the event of damage, usage, or degradation.

(b) There shall be 4 compressed air cylinders, supplied by OXARC, inc., in the refuge chamber, each providing 322 cubic feet of compressed air.

(1) Each compressed air cylinder shall provide a minimum of 24 hours of air at a setting of 6 liters per minute or 1.32 cubic feet per hour per person of air. The total time of sufficient air provided by the 4 compressed air cylinders shall be at least 96 hours.

(2) The compressed air cylinders shall be inspected monthly during escapeway inspections to ensure that the cylinders have sufficient air and are properly maintaining pressure.

(3) Carbon dioxide (CO<sub>2</sub>) scrubbing inside the refuge chamber shall be administered using ChemBio Enviro curtains (MSHA approval #07–LPA130002).

(4) There shall be 6 units of curtains in the refuge chamber with each curtain supplying each miner with 96 hours of CO<sub>2</sub> scrubbing capability.

(c) All underground personnel shall be trained on the operation of the air cylinders to release air and water rationing for a 96-hour period.

The petitioner provided a ventilation and emergency escape map that shows the refuge chamber location and primary and secondary escapeways, among other information.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same

measure of protection afforded the miners under the mandatory standard.

**Song-ae Aromie Noe,**

*Director, Office of Standards, Regulations, and Variances.*

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**BILLING CODE 4520–43–P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NOTICE: 23–069]

### Name of Information Collection: The NASA Visitor Management System for Intermittent Access to NASA Hosted/ Sponsored Events and Activities

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of information collection.

**SUMMARY:** The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections.

**DATES:** Comments are due by July 6, 2023.

**ADDRESSES:** Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Bill Edwards-Bodmer, NASA Clearance Officer, NASA Headquarters, 300 E Street SW, JF0000, Washington, DC 20546, 757–864–7998, or [b.edwards-bodmer@nasa.gov](mailto:b.edwards-bodmer@nasa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Abstract

NASA hosts/sponsors numerous events on federally owned/leased property which are open to NASA affiliates and members of the public. The events include but are not limited to meetings, conferences, briefings, public outreach activities, tours, focus groups, etc. Visitor access is substantiated by a credentialed NASA sponsor who validates the visitor’s need to access a building/area, guest networking services, etc. for a specific event/purpose. Information is collected

to validate identity and enable intermittent access to activities.

Currently, visitor registration is accomplished via several electronic and paper processes. The NASA Office of Protective Services is transitioning to a one-NASA process to manage access for visitors with an affiliation less than 30-days.

NASA may collect event registration information to include but not limited to a visitor's name, address, citizenship, biometric data, purpose of visit, the location to be visited, escort/sponsor name with contact data, and preferred meeting/event sessions when options are available. When parking is provided on Federal owned/leased space, driver's license information as well as vehicle make/model/tag information will be collected.

When visitors/vendors are permitted to bring equipment and/or event set-up materials such as booths and displays, information will be collected to issue property passes and coordinate equipment/property delivery. Information will also be collected, when applicable, to include other associated requirements such as electrical power needs, internet access, etc.

NASA collects, stores, and secures information from individuals requiring routine and intermittent access in a manner consistent with the Constitution and applicable laws, including the Privacy Act (5 U.S.C. 552a) and the Paperwork Reduction Act.

## II. Methods of Collection

Electronic.

## III. Data

*Title:* The NASA Visitor Management System for Intermittent Access to NASA Hosted/Sponsored Events and Activities.

*OMB Number:* 2700-0165.

*Type of Review:* Reinstatement without change of a currently approved information collection.

*Affected Public:* Individuals.

*Estimated Annual Number of Activities:* 400,000.

*Estimated Number of Respondents per Activity:* 1.

*Annual Responses:* 400,000.

*Estimated Time per Response:* 8 minutes.

*Estimated Total Annual Burden Hours:* 53,333 hours.

*Estimated Total Annual Cost:* \$2,000,000.

## IV. Request for Comments

*Comments are invited on:* (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including

whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

**William Edwards-Bodmer,**  
*NASA PRA Clearance Officer.*

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**BILLING CODE 7510-13-P**

## NATIONAL CREDIT UNION ADMINISTRATION

[NCUA-2023-0072]

### Request for Comment Regarding National Credit Union Administration Operating Fee Schedule Methodology

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Notice and request for comment.

**SUMMARY:** The NCUA Board (Board) is requesting comment on changes to the methodology it uses to determine how it apportions operating fees charged to Federal credit unions (FCUs). The Board uses operating fees to fund part of the NCUA's annual budget. In this notice, the Board proposes to change the exemption threshold below which Federal Credit Unions would not be required to pay the operating fee and proposes to establish a process to update the exemption threshold in future years based on the credit union system's annual asset growth.

**DATES:** Comments must be received on or before August 7, 2023.

**ADDRESSES:** You may submit comments by any of the following methods (Please send comments by one method only):

- *Federal eRulemaking Portal:* <https://www.regulations.gov/>. Follow the instructions for submitting comments for Docket Number NCUA-2023-0072.

- *NCUA website:* <https://www.ncua.gov/regulation-supervision/rulemakings-proposals-comment>.

Follow the instructions for submitting comments.

- *USPS/Hand Delivery/Courier:* Address to Melane Conyers-Ausbrooks,

Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428.

- *Public Inspection:* You may view all public comments on the Federal eRulemaking Portal at <https://www.regulations.gov>, as submitted, except for those we cannot post for technical reasons. The NCUA will not edit or remove any identifying or contact information from the public comments submitted. If you are unable to access public comments on the internet, you may contact the NCUA for alternative access by calling (703) 518-6540 or emailing [OGCMail@ncua.gov](mailto:OGCMail@ncua.gov).

**FOR FURTHER INFORMATION CONTACT:** James Holm, Supervisory Budget Analyst, Office of the Chief Financial Officer, at (703) 518-6570.

## SUPPLEMENTARY INFORMATION:

### I. Legal Background

The NCUA charters, regulates, and insures deposits in FCUs and insures deposits in federally insured State-chartered credit unions (FISCUs). To cover expenses related to its tasks, the Board adopts a biennial budget in the fall of each year. The Federal Credit Union Act (FCU Act) provides two primary sources to fund the budget: (1) requisitions from the National Credit Union Share Insurance Fund, referred to as the overhead transfer rate (OTR);<sup>1</sup> and (2) operating fees charged to FCUs.<sup>2</sup>

With regard to the operating fee, the FCU Act requires each FCU to, "in accordance with rules prescribed by the Board, . . . pay to the [NCUA] an annual operating fee which may be composed of one or more charges identified as to the function or functions for which assessed."<sup>3</sup> The fee must "be determined according to a schedule, or schedules, or other method determined by the Board to be appropriate, which gives due consideration to the expenses of the [NCUA] in carrying out its responsibilities under the [FCU Act] and to the ability of [FCUs] to pay the fee."<sup>4</sup> The statute requires the Board to, among other things, "determine the periods for

<sup>1</sup> See, e.g., 12 U.S.C. 1783(a) (making the Share Insurance Fund available "for such administrative and other expenses incurred in carrying out the purpose of [Title II of the FCU Act] as [the Board] may determine to be proper.").

<sup>2</sup> 12 U.S.C. 1755(a) ("In accordance with rules prescribed by the Board, each [FCU] shall pay to the [NCUA] an annual operating fee which may be composed of one or more charges identified as to the function or functions for which assessed.") and 12 U.S.C. 1766(j)(3). Other sources of income for the operating budget include interest income, funds from publication sales, parking fee income, and rental income.

<sup>3</sup> 12 U.S.C. 1755(a).

<sup>4</sup> 12 U.S.C. 1755(b).