

other mines in which any corporate officer has a 20 percent or greater ownership interest.

(e) If the operator is any organization other than a sole proprietorship, partnership, or corporation, the operator shall state: (1) The nature and type, or legal identity of the organization; (2) the name and address of the mine and the Federal mine identification number; (3) the name and address of the person at the mine in charge of health and safety; (4) the name and address of the person with overall responsibility for a health and safety program at all of the operator's mines, if the operator is not directly involved in the daily operation of the mine; (5) the Federal mine identification numbers of all other mines in which the organization has a 20 percent or greater ownership interest; (6) the full name, address of record and telephone number of the organization; (7) the name and address of each individual who has an ownership interest in the organization; (8) the name and address of the principal organization officials or members; and (9) the Federal mine identification numbers of all other mines in which any official or member has a 20 percent or greater ownership interest.

§41.12 Changes; notification by operator.

Within 30 days after the occurrence of any change in the information required by §41.11, the operator of a coal or other mine shall, in writing, notify the appropriate district manager of the Mine Safety and Health Administration in the district in which the mine is located of such change.

§41.13 Failure to notify.

Failure of the operator to notify the Mine Safety and Health Administration, in writing, of the legal identity of the operator or any changes thereof within the time required under this part will be considered to be a violation of section 109(d) of the Act and shall be subject to penalties as provided in section 110 of the Act.

Subpart C—Operator's Report to the Mine Safety and Health Administration

§41.20 Legal identity report.

Each operator of a coal or other mine shall file notification of legal identity and every change thereof with the appropriate district manager of the Mine Safety and Health Administration by properly completing, mailing, or otherwise delivering form 2000-7 "legal identity report" which shall be provided by the Mine Safety and Health Administration for this purpose. If additional space is required, the operator may use a separate sheet or sheets.

§41.30 Address of record and telephone number.

The address of record and telephone number required under this part shall be considered the operator's official address and telephone number for purposes of the Act. Service of documents upon the operator may be proved by a post office return receipt showing that the documents could not be delivered to such operator at the address of record because the operator had moved without leaving a forwarding address or because delivery was not accepted at that address, or because no such address existed. However, operators may request service by delivery to another appropriate address provided by the operator. The telephone number required under this part will be used in connection with proposed civil penalty assessments as provided in 30 CFR part 100.

PART 42—NATIONAL MINE HEALTH AND SAFETY ACADEMY

Subpart A [Reserved]

Subpart B—Tuition Fees

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- 42.10 Tuition fees.
- 42.20 Schedule of fees.
- 42.30 Procedure for payment.
- 42.40 Refunds.

Subpart C—Room and Board

- 42.50 Charges for room and board.

AUTHORITY: 30 U.S.C. 957.

§ 42.10

SOURCE: 50 FR 11643, Mar. 22, 1985, unless otherwise noted. Redesignated at 67 FR 42382, June 21, 2002.

Subpart A [Reserved]

Subpart B—Tuition Fees

§ 42.10 Tuition fees.

The National Mine Health and Safety Academy, located in Beckley, West Virginia, will charge tuition fees to all persons attending Academy courses, except employees of Federal, State, or local governments, persons attending the Academy under a program supported through an MSHA State grant, and persons performing a direct service. Also, subject to available resources, MSHA may waive all or part of fees for students, or persons employed by a non-profit organization, who are invited by MSHA to attend an Academy course which would, in the Agency's judgment, contribute to improved conduct, supervision, or management of a function or activity under the Federal Mine Safety and Health Act of 1977 or a function related to an MSHA appropriation. requests for waivers must be in writing.

[62 FR 60985, Nov. 13, 1997]

§ 42.20 Schedule of fees.

(a) Tuition fees will be computed on the basis of the cost to the Government for the Academy to conduct the course, as determined by the Superintendent of the Academy.

(b) The tuition fee for each course will be stated in the course announcement and will be reassessed on an annual basis.

§ 42.30 Procedure for payment.

When notified of acceptance for a course by the Academy, applicants shall submit a check or money order to the Academy, payable to the "Mine Safety and Health Administration" in the amount indicated by the course announcement prior to the commencement of the course.

§ 42.40 Refunds.

An applicant may withdraw an application and receive a full refund of tuition fees provided that written notifi-

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cation to the Academy's Student Services Branch is mailed no later than 14 days before the course begins.

Subpart C—Room and Board

§ 42.50 Charges for room and board.

The Academy will charge room and board to all persons staying at the Academy, except MSHA personnel, persons attending the Academy under a program supported through an MSHA State grant, and persons performing a direct service. Also, subject to available resources, MSHA may waive all or part of fees for students, or persons employed by a non-profit organization, who are invited by MSHA to attend an MSHA-sponsored training or meeting which would, in the Agency's judgment, contribute to improved conduct, supervision, or management of a function or activity under the Federal Mine Safety and Health Act of 1977 or a function related to an MSHA appropriation. Requests for waivers must be in writing. Charges for room and board will be based upon the average cost per person of the lodging, meals, and services provided and will be reassessed on an annual basis.

[62 FR 60985, Nov. 13, 1997]

PART 43—PROCEDURES FOR PROCESSING HAZARDOUS CONDITIONS COMPLAINTS

Subpart A—General

Sec.

43.1 Definitions.

43.2 General.

43.3 Purpose and scope of this part.

Subpart B—Special Inspections

43.4 Requirements for giving notice.

43.5 Action by the Secretary.

43.6 Notice of negative finding.

Subpart C—Informal Review

43.7 Informal review upon written notice given to an inspector on the mine premises.

43.8 Informal review upon the issuance of a notice of negative finding.

AUTHORITY: Secs. 103(g), and 508, Federal Mine Safety and Health Act of 1977 Pub. L. 95-164, 91 Stat. 1298 83 Stat. 803 (30 U.S.C. 813(g) and 957); sec.