

devices” each sufficient to provide at least one hour of protection be available to every person underground in a coal mine;⁷ at least one escape respirator of any size must be “worn or carried at all times by each person when underground.”⁸ Mine operators are allowed the discretion to determine whether to require miners to carry a 1-hour respirator and cache at least one additional 1-hour respirator per miner, or carry a 10-minute respirator and cache two additional 1-hour units.⁹ MSHA and others argue that although both CSE Corporation, of Export, Pennsylvania, and Ocenco hold approvals for Cap 3 CCERs for mining, neither is person-wearable. Both Ocenco and Avon Polymer Products, Ltd., of Cadillac, Michigan offer approved Cap 1 mining CCERs which are person-wearable, but provide only 10 minutes of oxygen under the current approval requirements.

According to MSHA,¹⁰ in many underground coal mines, miners traveling to multiple stations underground during their shift may not presently have access to caches with 1-hour respirators (as required by MSHA regulations), and therefore must be provided with a 1-hour or Cap 3 person-wearable escape respirator to be in compliance and ensure their safety. MSHA also indicates that miners may have to search for a cache of escape respirators during an emergency, and if so, the lack of a person-worn, 1-hour SCSR or Cap 3 CCER would constitute a reduction in protection since they would have less time to find a cache. Accordingly, although the newly-approved Subpart O CCERs meet the higher performance requirements of the new standard, MSHA is concerned that the protection offered to miners currently wearing the 1-hour SRLD would be diminished if they were required to switch to a 10-minute person-wearable Subpart O CCER. MSHA further asserts that data on escape respirators deployed in underground coal mines indicate that in mines that rely on 1-hour person-wearable respirators, a substantial portion of their respirator inventory will reach the end of its service life in 2017 and 2018. According to MSHA, these will need to be replaced with additional belt-wearable 1-hour SRLDs since there are currently no available Cap 3 CCERs that are belt or person-wearable.

Accordingly, MSHA has asked that NIOSH extend the deadline.

In a letter to NPPTL, CSE Corporation, manufacturer of the 1-hour belt-wearable SCSR model SRLD, reported similar concerns among its mining industry customers.¹¹ According to CSE, [a] large portion of the previous generation SCSR population utilized by the mining industry will reach their Service Life Date (Expire) between 2017 through to 2019. Numerous individuals from the mining industry have expressed concerns that an adequate supply of Cap 3 CCERs will NOT be available to replace the expiring SCSRs.¹² [emphasis in original]

On behalf of its customers, CSE expressed two primary concerns: (1) “how to implement the new Cap 3 CCER technology under the current budgetary constraints,” and (2) “the Cap 3 CCER technology is so new that many in the mining industry have not had the opportunity to evaluate it as related to their operational needs let alone even see a new Cap 3 CCER.” CSE concluded that, “[a]s a result of these concerns, many in the mining industry have not fully issued purchase orders for either technology SCSR or Cap 3 CCER to replace the expiring SCSRs.” CSE received NIOSH approval for its Cap 3 mining CCER on March 28, 2016,¹³ and plans to be in full production in May 2017. CSE has since informed NIOSH that it has a backlog of orders for Subpart H SCSRs, which it is unable to fill before the January 4, 2017 manufacturing deadline.

Finally, a mining industry representative communicated with NPPTL to register similar concern about the availability of the SRLD.¹⁴

After consideration of the concerns described above, NIOSH agrees that allowing the continued manufacturing, labeling, and sale of 1-hour Subpart H SCSRs is important for the continued respiratory protection of certain underground coal miners and necessary until such time as a person-wearable Cap 3 CCER is developed to replace it. Accordingly, NIOSH has published a guidance document, entitled “Closed-Circuit Escape Respirators; 42 CFR part 84, Subpart O Compliance; Guidance for

Industry,” on the NIOSH National Personal Protective Technology Laboratory Web site, at www.cdc.gov/niosh/npptl. The guidance explains the conditions under which NIOSH does not intend to revoke any certificate of approval for 1-hour escape respirators, approved in accordance with 42 CFR part 84, Subpart H, that are manufactured, labeled, or sold prior to January 4, 2018, provided that there is no cause for revocation under 42 CFR 84.34 or 84.43(c), including misuse of approval labels and markings, misleading advertising, and failure to maintain or cause to be maintained the applicable quality control requirements.¹⁵

This policy does not extend to any other NIOSH regulatory requirement for respirator approval in 42 CFR part 84.

To ensure that underground coal miners have sufficient MSHA-required protection during escape from hazardous atmospheres, the guidance is effective immediately. The guidance represents the current thinking of NIOSH on this topic. It does not establish any rights for any person and is not binding on NIOSH or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. To discuss an alternative approach, contact the NIOSH staff responsible for this guidance.

Dated: December 21, 2016.

Sylvia M. Burwell,

Secretary, Department of Health and Human Services.

[FR Doc. 2016–31393 Filed 12–27–16; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2016–1000]

Information Collection Request to Office of Management and Budget; OMB Control Number: 1625–0025

AGENCY: Coast Guard, DHS.

¹⁵ See 42 CFR 84.34, which states that “[t]he Institute reserves the right to revoke, for cause, any certificate of approval issued pursuant to the provisions of this part. Such causes include, but are not limited to, misuse of approval labels and markings, misleading advertising, and failure to maintain or cause to be maintained the quality control requirements of the certificate of approval.” See also 42 CFR 84.43(c), which states that “[t]he Institute reserves the right to revoke, for cause, any certificate of approval where it is found that the applicant’s quality control test methods, equipment, or records do not ensure effective quality control over the respirator for which the approval was issued.”

⁷ 30 CFR 75.1714(a), 75.1714–4.

⁸ 30 CFR 75.1714–2(b).

⁹ 30 CFR 75.1714–1(a) and (b).

¹⁰ *Supra* note 5.

¹¹ Scott Shearer, CSE Corporation, letter to Maryann D’Alessandro, Director, NPPTL, Subject: Cap 3 Closed-Circuit Escape Respirators Transition Plan, November 4, 2016. This letter is available in the docket for this notice and guidance.

¹² *Id.*

¹³ See NIOSH National Personal Protective Technology Laboratory Certified Equipment List, https://www2a.cdc.gov/drds/cel/cel_form_code.asp.

¹⁴ Allen Dupree, Contura Energy, letter to Maryann D’Alessandro, November 23, 2016, Subject: Concerns regarding SCSR Rule. This letter is available in the docket for this notice and guidance.

ACTION: Sixty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0025, Carriage of Bulk Solids Requiring Special Handling—without change. Our ICR describes the information we seek to collect from the public. Before submitting this ICR to OIRA, the Coast Guard is inviting comments as described below.

DATES: Comments must reach the Coast Guard on or before February 27, 2017.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2016–1000] to the Coast Guard using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the “Public participation and request for comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

A copy of the ICR is available through the docket on the Internet at <http://www.regulations.gov>. Additionally, copies are available from: COMMANDANT (CG–612), ATTN: PAPERWORK REDUCTION ACT MANAGER, U.S. COAST GUARD, 2703 MARTIN LUTHER KING JR AVE SE., STOP 7710, WASHINGTON, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Smith, Office of Information Management, telephone 202–475–3532, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION: In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0025, Carriage of Bulk Solids Requiring Special Handling—46 CFR part 148 without change.

Public Participation and Request for Comments

This Notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information

(Collection). The ICR contains information describing the Collection’s purpose, the Collection’s likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. In response to your comments, we may revise this ICR or decide not to seek an extension of approval for the Collection. We will consider all comments and material received during the comment period.

We encourage you to respond to this request by submitting comments and related materials. Comments must contain the OMB Control Number of the ICR and the docket number of this request, [USCG–2016–1000], and must be received by February 27, 2017.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Information Collection Request

Title: Carriage of Bulk Solids Requiring Special Handling—46 CFR part 148.

OMB Control Number: 1625–0025.

Summary: As specified in 46 CFR part 148, the petition for a Special Permit allows the Coast Guard to determine the manner of safe carriage for unlisted materials. The information required by Dangerous Cargo Manifests and Shipping Papers permit vessel crews and emergency personnel to properly and safely respond to accidents involving hazardous substances. See 46 CFR 148 Subpart B, 148.60 and 148.70.

Need: The Coast Guard administers and enforces statutes and rules for the safe transport and stowage of hazardous materials, including bulk solids.

Forms: N/A.

Respondents: Owners and operators of vessels that carry certain bulk solids.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden has decreased from 955 hours to 850 hours a year due to a decrease in the estimated annual number of responses for Special Permits.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Dated: December 18, 2016.

Thomas P. Michelli,
Chief Information Officer, U.S. Coast Guard.
[FR Doc. 2016–31395 Filed 12–27–16; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–BHC–2016–N224;
FXMB12330900000–178–FF09M10000]

Information Collection Request Sent to the Office of Management and Budget (OMB) for Approval; Electronic Duck Stamp Program

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (U.S. Fish and Wildlife Service) have sent an Information Collection Request (ICR) to OMB for review and approval. We summarize the ICR below and describe the nature of the collection and the estimated burden and cost. This information collection is scheduled to expire on December 31, 2016. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. However, under OMB regulations, we may continue to