

govern the application, processing, and disposition of petitions for modification.

### 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 (Secretary) 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. That the application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

### II. Petition for Modification

*Docket Number:* M-2018-006-M.

*Petitioner:* U.S. Silica Company, 838 VFW Drive, Festus, Missouri 63028.

*Mines:* Festus Plant, MSHA I.D. No. 23-02377, located in Jefferson County, Missouri.

*Regulation Affected:* 30 CFR 56.13020 (Use of compressed air).

*Modification Request:* The petitioner requests a modification of the existing standard to permit an alternative method using a Clothes Cleaning Process that removes dust from a miner's clothing.

The petitioner states that:

(1) The proposed alternative method has been developed jointly between Unimin Corporation and the National Institute for Occupational Safety and Health (NIOSH and successfully tested by NIOSH to reduce a miner's exposure to respirable dust, thus reducing the miner's health risks. The system consists of four major components: a cleaning booth, an air spray manifold, an air reservoir, and an exhaust ventilation system.

(2) Only miners trained in the operation of the cleaning booth will be permitted to use the booth to clean their clothes.

(3) Petitioner will incorporate the Clothes Cleaning Process and manufacturer's instruction manuals into their MSHA Part 48b training plan and train affected miners in the process.

(4) Miners entering the booth will examine valves and nozzles for damage or malfunction and will close the door fully before opening the air valve. Any defects will be repaired prior to the booth being used.

(5) Miners entering the booth will wear eye protection, ear plugs or muffs for hearing protection, and respiratory protection. Respiratory protection will consist of a full-face or half-mask respirator that meets or exceeds the minimum requirements of a N95 filter to which the miner has been fit-tested. As an alternative, the use of a full-face respirator will meet the requirements for eye protection. A sign will be conspicuously posted requiring the above personal protective equipment when the booth is entered.

(6) Air flow through the booth will be at least 2,000 cubic feet per minute to maintain negative pressure during use of the cleaning system in order to prevent contamination of the environment outside the booth. Airflow will be in a downward direction, thereby moving contaminants away from the miner's breathing zone.

(7) Air pressure through the spray manifold will be limited to 30 pounds per square inch or less. A lock box with a single, plant manager controlled key will be used to prevent regulator tampering.

(8) The air spray manifold will consist of schedule 80 steel pipe that has a failure pressure of 1,300 pounds per square inch and will be capped at the base and actuated by an electrically controlled ball valve at the top.

(9) Air nozzles must not exceed 30 pound(s) per square inch gauge.

(10) The upper most spray of the spray manifold will be located below the booth users breathing zone. Some type of mechanical device can be used to cover the upper air nozzles to meet the specific height of the user.

(11) Air nozzles will be guarded to eliminate the possibility of incidental contact, which could create mechanical damage to the air nozzles during the clothes cleaning process.

(12) Petitioner will conduct periodic maintenance checks of the booth in accordance with the recommendations contained in the manufacturer's instruction manual.

(13) The air reservoir tank supplying air to the manifold system will be of sufficient volume to permit no less than 20 seconds of continuous cleaning time.

(14) An appropriate hazard warning sign will be posted on the booth to state at a minimum, "Compressed Air" and "Respirable Dust".

(15) A pressure relief valve designed for the booth's air reservoir will be installed.

(16) The mine will exhaust dust-laden air from the booth into a local exhaust ventilation system or duct outside the facility while ensuring there is no re-entrainment back into the structure.

The petitioner asserts that proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the standard.

**Sheila McConnell,**

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

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## NATIONAL SCIENCE FOUNDATION

### Security From a Wireless Spectrum Perspective: Technology Innovation and Policy Research Needs

**AGENCY:** The Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO), National Science Foundation.

**ACTION:** Notice of meeting.

**SUMMARY:** This workshop will focus on the R&D challenges of securing the wireless spectrum access medium to assure spectrum availability, reliability and performance over wireless links. Representatives from Federal agencies, academia and the private sector will discuss the current technologies, tools and practices that are effective, and identify the gaps and issues that will require additional research.

**DATES:** September 13, 2018.

**FOR FURTHER INFORMATION CONTACT:** Wendy Wigen at (202) 459-9683 or [wigen@nitrd.gov](mailto:wigen@nitrd.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:**

*Overview:* This notice is issued by the National Coordination Office for the Networking and Information Technology Research and Development (NITRD) Program. Agencies of the Wireless Spectrum R&D Interagency Working Group are conducting a workshop focused on security from a wireless spectrum perspective. Experts from government, private industry, and academia will help discuss the current technology, tools and practices that are effective, and identify gaps and issues that will require additional research to resolve. The workshop will take place on September 13 from 9:00 a.m. to 5:00 p.m. ET at the NITRD office, 490 L'Enfant Plaza SW, Suite 8001 (8th Floor), Washington, DC 20024.

Participation is by invitation only but observers are welcome on a first come first served basis. This event will be webcast. The agenda and information

about how to join the webcast will be available the week of the event at: <https://www.nitr.gov/nitrgroups/index.php?title=WSRD-Workshop-X>.

**Workshop Goals:** WSRD members will use information gathered from this workshop to develop recommendations on the government role in these technologies, as well as for their agency-specific research agendas.

**Workshop Objectives:** 1. Identify wireless security scenarios and issues in the context of increasingly congested and contested spectrum, and the emerging spectrum sharing and trading frameworks. 2. Discuss the ongoing technology innovations and the related short- and long-term regulatory frameworks. 3. Identify innovative tools, techniques, and experimentation for future research.

Submitted by the National Science Foundation in support of the Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO) on August 14, 2018.

**Suzanne H. Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

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## PENSION BENEFIT GUARANTY CORPORATION

### Proposed Submission of Information Collection for OMB Review; Comment Request; Annual Reporting (Form 5500 Series)

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of intent to request extension of OMB approval, with modifications.

**SUMMARY:** The Pension Benefit Guaranty Corporation (PBGC) intends to request that the Office of Management and Budget (OMB) extend approval (with modifications), under the Paperwork Reduction Act of 1995, of its collection of information for Annual Reporting under OMB control number 1212-0057, which expires on March 31, 2021. This notice informs the public of PBGC's intent and solicits public comment on the collection of information.

**DATES:** Comments must be submitted by October 19, 2018.

**ADDRESSES:** Comments may be submitted by any of the following methods:

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

- *Email:* [paperwork.comments@pbgc.gov](mailto:paperwork.comments@pbgc.gov). Refer to Annual Reporting (Form 5500 Series) in the subject line.

- *Mail or Hand Delivery:* Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026.

All submissions received must include the agency's name (Pension Benefit Guaranty Corporation, or PBGC) and refer to the Annual Reporting (Form 5500 Series). All comments received will be posted without change to PBGC's website, [www.pbgc.gov](http://www.pbgc.gov), including any personal information provided. Copies of the collection of information may be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026, or calling 202-326-4040 during normal business hours. TTY users may call the Federal relay service toll-free at 800-877-8339 and ask to be connected to 202-326-4040.

#### FOR FURTHER INFORMATION CONTACT:

Karen Levin ([levin.karen@pbgc.gov](mailto:levin.karen@pbgc.gov)), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026, 202-326-4400, extension 3559. TTY users may call the Federal relay service toll-free at 800-877-8339 and ask to be connected to 202-326-4400, extension 3559.

**SUPPLEMENTARY INFORMATION:** Annual reporting to the Internal Revenue Service (IRS), the Employee Benefits Security Administration (EBSA), and the Pension Benefit Guaranty Corporation (PBGC) is required by law for most employee benefit plans. For example, section 4065 of the Employee Retirement Income Security Act of 1974 requires annual reporting to PBGC for pension plans covered by title IV of ERISA. To accommodate these filing requirements, PBGC, IRS, and EBSA have jointly promulgated the Form 5500 Series, which includes the Form 5500 Annual Return/Report of Employee Benefit Plan and the Form 5500-SF Short Form Annual Return/Report of Small Employee Benefit Plan.

The collection of information has been approved by OMB under control number 1212-0057 through March 31, 2021. PBGC intends to request that OMB extend its approval, with modifications, for three years. An agency 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.

PBGC is proposing modifications to the 2019 Schedule R (Retirement Plan Information), Form 5500-SF, and Schedule SB (Single-Employer Defined Benefit Plan Actuarial Information), and their related instructions. These proposed modifications affect some, but not all, single-employer defined benefit plans covered by Title IV of ERISA. PBGC also is proposing minor modifications to the Form 5500 Series to improve the accuracy of reported information.

PBGC is proposing to modify Schedule R to obtain information from single-employer plans related to unpaid minimum required contributions. Single-employer plans are required to report the amount of unpaid minimum required contributions on Schedule SB and, in most cases, report additional information about the unpaid ("missed") contributions to PBGC on the applicable PBGC form (*i.e.*, Form 10 or Form 200). In some cases, this PBGC reporting requirement is waived (*e.g.*, if the contribution is made within 30 days of the due date). PBGC has found a significant number of plans that are required to file these PBGC form(s) do not. As part of its enforcement effort, PBGC regularly contacts plans that report unpaid contributions on Schedule SB if the applicable PBGC form is not received. With limited exception, PBGC cannot distinguish between plans that were required to report missed contributions and those that qualified for a regulatory waiver, and as a result, PBGC ends up contacting many plans for which reporting was waived. PBGC is proposing to modify Schedule R by requiring PBGC-insured single-employer plans that report unpaid minimum required contributions on Schedule SB to check a box indicating whether PBGC reporting of the missed contributions was waived or required (and if required, whether such reporting requirement has been satisfied). PBGC is proposing this addition of information to enable PBGC to limit its contact to plans that were required, but failed to, report information about unpaid contributions to PBGC.

Because many small PBGC-insured plans are not required to complete Schedule R (*i.e.*, plans that file Form 5500-SF), PBGC also is proposing to add a similar question about missed contributions to Form 5500-SF.

With regard to the Schedule SB form and instructions, PBGC is proposing to modify line 23 to eliminate three boxes representing mortality tables that are no longer applicable.

PBGC estimates that it will receive approximately 23,900 Form 5500 and