

surveying equipment identified in this petition and acquired more than 10 years prior to the date that the petition becomes final. After 5 years, the operator will maintain a cycle of purchasing new electronic surveying equipment whereby theodolites will be no older than 5 years from the date of manufacture and total stations and other electronic surveying equipment will be no older than 10 years from the date of manufacture.

(t) The operator will ensure that all surveying contractors hired by the operator are using nonpermissible electronic surveying equipment in accordance with the terms and conditions of this petition. The conditions of use in the petition will apply to all nonpermissible electronic surveying equipment used in return airways, regardless of whether the equipment is used by the operator or by an independent contractor.

(u) The petitioner states that it may use nonpermissible electronic surveying equipment when production is occurring, subject to the following conditions:

- On a mechanized mining unit (MMU) where production is occurring, nonpermissible electronic surveying equipment will not be used downwind of the discharge point of any face ventilation controls, such as tubing (including controls such as “baloney skins”) or curtains.
- Production may continue while nonpermissible electronic surveying equipment is used, if such equipment is used in a separate split of air from where production is occurring.
- Nonpermissible electronic surveying equipment will not be used in a split of air ventilating an MMU if any ventilation controls will be disrupted during such surveying. Disruption of ventilation controls means any change to the mine’s ventilation system that causes the ventilation system not to function in accordance with the mine’s approved ventilation plan.
- If, while surveying, a surveyor must disrupt ventilation, the surveyor will cease surveying and communicate to the section foreman that ventilation must be disrupted. Production will stop while ventilation is disrupted. Ventilation controls will be reestablished immediately after the disruption is no longer necessary. Production will only resume after all ventilation controls are reestablished and are in compliance with approved ventilation or other plans, and other applicable laws, standards, or regulations.
- Any disruption in ventilation will be recorded in the logbook required by

the petition. The logbook will include a description of the nature of the disruption, the location of the disruption, the date and time of the disruption and the date and time the surveyor communicated the disruption to the section foreman, the date and time production ceased, the date and time ventilation was reestablished, and the date and time production resumed.

- All surveyors, section foremen, section crew members, and other personnel who will be involved with or affected by surveying operations will receive training in accordance with 30 CFR 48.7 on the requirements of the petition within 60 days of the date the petition becomes final. The training will be completed before any nonpermissible electronic surveying equipment can be used while production is occurring. The operator will keep a record of the training and provide the record to MSHA on request.
- The operator will provide annual retraining to all personnel who will be involved with or affected by surveying operations in accordance with 30 CFR 48.8. The operator will train new miners on the requirements of the petition in accordance with 30 CFR 48.5, and will train experienced miners, as defined in 30 CFR 48.6, on the requirements of the petition in accordance with 30 CFR 48.6. The operator will keep a record of the training and provide the record to MSHA on request.

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

**Sheila McConnell,**

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

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## DEPARTMENT OF LABOR

### Office of Workers’ Compensation Programs

#### Proposed Collection; Comment Request

**AGENCY:** Division of Federal Employees’ Compensation, Office of Workers’ Compensation Programs, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden,

conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Office of Workers’ Compensation Programs is soliciting comments concerning the proposed collection: Peace Corps Volunteer Authorization for Examination and/or Treatment (CA-15). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before October 7, 2019.

**ADDRESSES:** You may submit comments by mail, delivery service, or by hand to Mr. Vincent Alvarez, U.S. Department of Labor, 200 Constitution Ave. NW, Room S-3201, Washington, DC 20210; by fax, (202) 354-9643, or email to [alvarez.vincent@dol.gov](mailto:alvarez.vincent@dol.gov) Please use only one method of transmission for comments (mail/delivery, fax, or email). Please note that comments submitted after comment period will not be considered.

#### SUPPLEMENTARY INFORMATION:

*I. Background:* The Department of Labor (DOL) is requesting an approval of a new information collection as a result of the recent passage of the Sam Farr and Nick Castle Peace Corps Reform Act of 2018 (Farr-Castle), which modified various aspects of the Peace Corps, including changes to the provision of health care to volunteers.

Peace Corps Volunteers are considered to be in the performance of duty while abroad during the period of Peace Corps service for purposes of FECA coverage. An injury sustained outside the United States during service is deemed proximately caused by such service, unless the injury or illness was proximately caused by willful misconduct, intention to bring about injury or death, or intoxication.

Under the provisions of the FECA, 5 U.S.C. 8142 of the FECA defines Peace Corps volunteer as

(1) A volunteer enrolled in the Peace Corps under section 2504 of title 22;

(2) A volunteer leader enrolled in the Peace Corps under section 2505 of title 22; and

(3) An applicant for enrollment as a volunteer or volunteer leader during a period of training under section 2507(a) of title 22 before enrollment.

Entitlement to disability compensation payments does not commence until the day after the date of termination of service as a volunteer. 5 U.S.C. 8142(b).

Farr-Castle directs the Secretary of the Department of Labor to authorize the Director of the Peace Corps to furnish medical benefits to a volunteer, who is injured during the volunteer's period of service, for a period of 120 days following the termination of such service if the Director certifies that the volunteer's injury probably meets the requirements set forth in 5 U.S.C. 8142(c)(3).

To this end, the Office of Workers' Compensation Programs (OWCP) and the Peace Corps have collaborated to initiate a new form, the CA-15, Peace Corps Volunteer Authorization for Examination and/or Treatment, that will authorize medical treatment for recently terminated Peace Corps volunteers who require medical treatment for injuries/exposure sustained in the performance of their volunteer service. Issuance of this form will solely be at the discretion of the Peace Corps, and will bridge a gap between the occurrence of an initial injury and/or disease exposure and the actual adjudication of a claim by OWCP by helping ensure that recently terminated volunteers receive prompt medical care, without delay, for a period of 120 days following separation from service.

*II. Review Focus:* The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology,

*e.g.*, permitting electronic submissions of responses.

*III. Current Actions:* The Department of Labor seeks approval of this new information in order to carry out its responsibility to meet the statutory requirements of the Federal Employees' Compensation Act as amended by the Sam Farr and Nick Castle Peace Corps Reform Act of 2018 (Farr-Castle).

*Type of Review:* New Collection.

*Agency:* Office of Workers' Compensation Programs.

*Title:* Peace Corps Volunteer Authorization for Examination and/or Treatment.

*OMB Number:* 1240-0NEW.

*Agency Number:* CA-15Affected

*Public:* Individuals or Households.

*Total Respondents:* 252.

*Total Annual Responses:* 252.

*Average Time per Response:* 15 minutes.

*Estimated Total Burden Hours:* 63.

*Frequency:* Once.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$146.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

**Vincent Alvarez**

*Agency Clearance Officer, Office of Workers' Compensation Programs US Department of Labor.*

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**DEPARTMENT OF LABOR**

**Office of Workers' Compensation Programs**

**Proposed Collection; Comment Request**

**AGENCY:** Division of Longshore and Harbor Workers' Compensation, Office of Workers' Compensation Programs, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95). This program helps to ensure that requested data can be provided in

the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Office of Workers' Compensation Programs is soliciting comments concerning the proposed collection: Attorney Fee Approval Request (LS-4), Application for Special Fund Relief (LS-5), Commutation Application (LS-6), Request for Intervention (LS-7), Settlement Approval Request 8(i) (LS-8) and Stipulation Approval Request (LS-9). A copy of the proposed information collection request can be obtained by contacting the office listed below in the address section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before October 7, 2019.

**ADDRESSES:** You may submit comments by mail, delivery service, or by hand to Ms. Anjanette Suggs, U.S. Department of Labor, 200 Constitution Ave. NW, Room S-3323, Washington, DC 20210; by fax, (202) 354-9660 or email to [suggs.anjanette@dol.gov](mailto:suggs.anjanette@dol.gov). Please use only one method of transmission for comments (mail/delivery, fax, or email). Please note that comments submitted after comment period will not be considered.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Department of Labor (DOL) is requesting an approval of a new information collection. This information collection is essential to the mission of DOL and the Office of Workers' Compensation Programs (OWCP) Longshore and Harbor Workers' Compensation Act (LHWCA or Act). The Act provides benefits to workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel. In addition, several acts extend the LHWCA's coverage to certain other employee groups. LHWCA section 39(a) generally authorizes the Secretary of Labor to prescribe rules and regulations to implement the Act. See 33 U.S.C. 939(a).

Title 20 CFR 702.132 empowers the District Directors to award or deny attorney fees for services rendered on behalf of a claimant. In addition, 20 CFR 702.134 establishes certain guidelines for determining an attorney fee when the employer or carrier declines to pay compensation. The attorney representing a claimant must file an